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PRINTED BY ORDER OF

THE HOUSE OF REPRESENTATIVES,

DURING THE

FIRST SESSION OF THE THIRTY-NINTH CONGRESS,

1865-'66.

IN SIXTEEN VOLUMES.

Volume 1	No. 1. Diplomatic: Parts 1, 2, 3, and 4.
Volume 2	No. 1. Interior.
Volume 3	No. 1. War: Parts 1 and 2.
Volume 4	No. 1. War—Appendix: Parts 1 and 2.
Volume 5	No. 1. Navy.
Volume 6	No. 1 to No. 4.
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Volume 8	No. 50 to No. 72, except Nos. 52 and 56.
Volume 9	No. 52. Parts 1 and 2.
Volume 10	No. 56. Commercial Relations.
Volume 11	No. 73. Parts 1 and 2.
Volume 12	No. 74 to No. 133, except Nos. 75 and 102.
Volume 13	No. 75. (Quarto.)
Volume 14	No. 102. Smithsonian Report.
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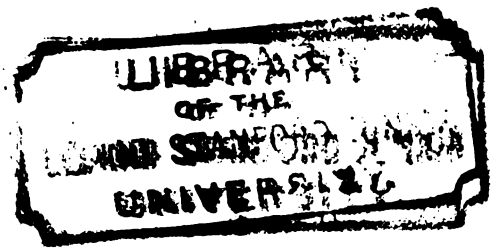

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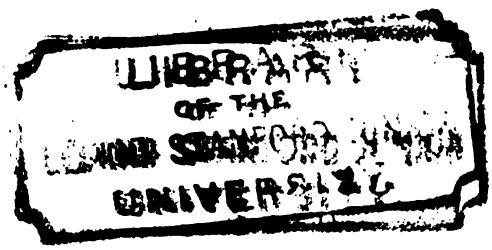

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39TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { Ex. Doc. No. 73.

MESSAGE

OF THE

PRESIDENT OF THE UNITED STATES,

OF

MARCH 20, 1866,

RELATING TO

THE CONDITION OF AFFAIRS IN MEXICO

IN ANSWER TO

A RESOLUTION OF THE HOUSE OF DECEMBER 11, 1865.

PART II.

WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1866.

PART II.

MESSAGE

FROM THE

PRESIDENT OF THE UNITED STATES,

IN ANSWER TO

A resolution of the House of the 11th of December last, transmitting information upon the present condition of affairs in the republic of Mexico.

MARCH 22, 1866.—Referred to the Committee on Foreign Affairs and ordered to be printed.

To the House of Representatives:

In compliance with the resolution of the House of Representatives of the 11th of December last, requesting information upon the present condition of affairs in the republic of Mexico, I transmit a report from the Secretary of State, and the papers by which it was accompanied.

ANDREW JOHNSON.

WASHINGTON, *March* 20, 1866.

DEPARTMENT OF STATE,
Washington, March 20, 1866.

The Secretary of State, to whom was referred the resolution of the House of Representatives of the 11th of December, 1865, requesting the President, "if not incompatible with the public interest, to communicate to this house any correspondence or other information, in possession of the government, relative to the present condition of affairs in our sister republic of Mexico, and especially any letters of the minister from said republic and the French minister at Washington relating thereto," has the honor to lay before the President the papers mentioned in the subjoined list.

Respectfully submitted:

WILLIAM H. SEWARD.

The PRESIDENT.

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THE PRESIDENTIAL TERM OF PRESIDENT BENITO JUAREZ.

No. 1. Mr. Romero to Mr. Seward, (with two enclosures).... Feb. 2, 1865.
No. 2. Mr. Seward to Mr. Romero..... Feb. 25, 1865.
No. 3. Mr. Romero to Mr. Seward, (with fourteen enclosures).. Dec. 8, 1865.
No. 4. Mr. Romero to Mr. Seward, (with five enclosures).... Feb. 5, 1866.
No. 5. Mr. Romero to Mr. Seward, (with seven enclosures)... Feb. 8, 1866.
No. 6. Mr. Romero to Mr. Seward, (with three enclosures)... Feb. 18, 1866.
No. 7. Mr. Romero to Mr. Seward, (with two enclosures).... Mar. 2, 1866.
No. 8. Mr. Romero to Mr. Seward, (with two enclosures).... Mar. 10, 1866.
No. 9. Mr. Seward to Mr. Romero..... Mar. 12, 1866.
No. 10. Mr. Romero to Mr. Seward, (with enclosures)..... Mar. 16, 1866.

No. 1.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION TO THE UNITED STATES OF AMERICA,
Washington, 2d of February, 1865.

MR. SECRETARY: I have the honor to remit to you, for the information of the government of the United States, a copy of the "official journal of the constitutional government of the Mexican republic," published at the city of Chihuahua, and of the date of the 3d of December of last year, in which the communications are published which were exchanged on the 30th of November previous between General Gonzales Ortega, president of the supreme court of justice, and Señor Lerdo de Tejada, minister for foreign relations, in reference to the constitutional period of the actual President of the Mexican republic.

In the opinion of some statesmen of that republic, it was doubtful whether such period should close on the 30th of November of the year last past, or on the 30th of November of the present year; and in case it should have ended on the 30th of November last, the supreme executive power would remain provisionally placed in the president of the supreme court of justice until a new election could be made by the people in accordance with our constitution.

General Gonzales Ortega asked that the doubt might be cleared up which was believed to exist in this case, and the President decided, at a council of ministers, that his constitutional term endures until the 30th of November of this year.

This decision has been well received throughout the country, and it assures public tranquillity throughout the immense majority of the republic recognizing and obeying the constitutional government, at the time when such a condition is absolutely necessary to bring to a happy issue the war which the Emperor of the French is making against my country.

I gladly avail of this opportunity to renew to you, Mr. Secretary, the assurances of my most distinguished consideration.

M. ROMERO.

Hon. WILLIAM H. SEWARD, *&c.*

[Enclosure No. 1.--Translation.]

CONSTITUTIONAL PRESIDENT OF THE SUPREME COURT OF JUSTICE.

ART. 75. The exercise of the supreme executive power of the Union shall be vested in one person, who shall be denominated "President of the United Mexican States."

ART. 78. The President shall enter upon the discharge of his functions the first of December, and shall remain in office four years.

ART. 79. In the temporary and absolute default of the President of the republic before his successor is elected, the president of the supreme court of justice shall exercise the power.

ART. 80. If the default of the President be absolute, a new election shall be held according to article 76, and the person newly elected shall exercise its functions till the last day of November of the fourth year following that of his election.

ART. 82. If, for any reason, the election for President is not held and promulgated by the first of December, when he is to be superseded, or the person elected is not ready to enter upon the duties of his office, still the old incumbent shall desist, and the supreme executive power shall be intrusted temporarily to the president of the supreme court of justice.

Citizen minister, according to the provisions of article 80 of our political constitution, the President of the republic who has been elected to fill the place of his antecessor on account of his absolute default, *shall exercise his functions till the last of November of the fourth year following that of his election*, and not four complete years, as he who began on the first of December, as is clearly seen in article 78 of the constitution, which says: "The President shall enter upon the discharge of his duties the first of December, and shall remain in office four years."

In the first case is placed, as I understand it, the present chief magistrate of the nation, citizen Benito Juarez, who was elected to fill the absolute vacancy of his antecessor; and, as his election took place at the beginning, and was published in the middle of the year 1861, his time expires on the fourth year following, which is the present one of 1864. Another more evident reason, clearly explained in the articles cited, is, that the President who shall enter upon the discharge of his duties the first of December, *shall hold his office four years;* and he who begins to exercise his functions by election, and in absolute default of his antecessor, *shall hold his office till the last of November of the fourth year following that of his election.*

As I was elected president of the supreme court of justice by public vote the only source of authority with us, I am the person to supersede the chief magistrate in the exercise of his disagreeable and difficult duties, in case he vacates his place; and to do the duty imposed upon me in this particular, by my honor, by the laws, and by the national vote, I ought to wait only till the

first of December, if other reasons did not induce me to address you this note on the eve of that day.

I have heard that President Benito Juarez told respectable persons his legal term of office did not expire for a year yet—that is, till the last day of November, 1865. Here are differences of opinion not easy to reconcile; but I cannot see what foundation the latter has when we interpret the meaning of our political statute.

I could never have believed that a man who has hitherto always observed the laws intrusted to him by the people, would now be the very first to violate those laws, and trample under foot the constitution to which he owes his political existence. But he is far ahead of those men who opened a wide road to immorality, considering the law as no more than a contemptible piece of paper, to be torn up or thrown away, just as it suited their interests, and always for the safety of the country.

These are the antecedents of the men who now direct the destinies of this country; but their creed neither explains the law, if it needs an explanation on a point of such vital importance, nor does it offer resistance to the anarchy that will soon overwhelm us. Many politicians and statesmen in the country give the same interpretation to the law that I do.

I have solemn duties to the nation, expressed in the laws, as well as President Benito Juarez.

My object in this letter is, to do my duty, to assume the responsibility imposed upon me by my engagements, my conscience, and the people, to avert the evils that threaten my country with disgrace, and to fix the supreme power, if possible, in the hands of him who has the right to administer it.

I hope you will inform the President that I expect him to notify me officially whether he will deliver the supreme command to me to-morrow, in accordance with the precepts of the constitution I have quoted, or, on the contrary, which is most probable, ask him to fix the meaning of these same constitutional precepts.

Perhaps it may serve to avert anarchy and strengthen the subsequent power of the President, and, what is better, leave the law safe—the law that has been sustained by the blood of the Mexican people for the period of eight long years.

As to myself, zealous as the most of my country's good name, I protest I will be the first to acknowledge and obey the resolution; not from disinterested motives, for I have no personal interest in it, but from a desire to shelter myself from all responsibility to the people, and avert the imminent anarchy; and I desire, as every true patriot should, that Mexico should be saved decently, or fall becomingly to the machinations of the French and some of her own treacherous citizens, and be buried respectfully under her flag, and not have it said that in her misfortune the defenders of her liberty quarrelled among themselves. Let not this bitter memory be left to our descendants and survivors.

Independence, liberty and reform! Chihuahua, November 30, 1864.

J. G. ORTEGA.

The Citizen MINISTER OF FOREIGN RELATIONS AND GOVERNMENT, *Present.*

[Enclosure No. 2.—Translation.]

DEPARTMENT OF FOREIGN RELATIONS AND GOVERNMENT.—DEPARTMENT OF GOVERNMENT.—SECTION FIRST.

Your communication of this day having been made known to the citizen President of the republic, asking if you are to supersede him in the exercise of his authority, a meeting of the cabinet makes the following answer:

What you say in respect to the President's opinion, that his term of office did

not expire till the 30th of November next, is true. By the literal interpretation of article 80 of the constitution of the republic, and several other articles, the duration of presidential power can have no other meaning. Article 78 says: "The President shall enter upon the discharge of his functions the first of December, and shall remain in office four years." This article, considered generally without connexion with others, makes no distinction between this case and elections in ordinary times; but in neither case is the duration of the presidential term to be less than four years.

Article 80 provides that the President elected in absolute fault of his antecessor "shall exercise the duties of his office till the last day of November of the fourth year following that of his election." According to this precept, whenever the newly elected accepted office at any other time than the 1st of December, and the acting President was inaugurated the 15th of June, 1861, the result would be that, as it was to end on the 30th of November if the day was exactly four years after his election, according to article 80, his term would be a little more than four years; and if only three years after his election, as you say in the present case, then by article 78 it would be less than four years.

It is evident that, if your opinion and that of others who count the four years following the year of the election, beginning with the unfinished year, as if the year could follow itself, the consequence would be that, if the President were installed the middle or last of December, his presidential term of office would be less than three years, in open violation of article 78.

A careless reading of the above constitutional articles may have inducted some persons into the error of wishing to prevent a President from holding over four years, under any circumstances; yet these same persons might know that, between this slight inconvenience and the greater one of frequent elections, our fundamental code prefers the former, allowing the President to continue in office a few months or a few days over four years.

Many have contended, in print and privately, that, in order to reconcile all the articles of the constitution, article 78 determined positively, in all circumstances, that the President should take his seat on the first day of December. According to this, article 79 is not contrary to 78, and must be understood to mean that the President is to take his seat the first of December, while the justice of the supreme court fills the interval after the election. If this were true, the terms of four years could never exactly coincide, and some presidents would have to hold over or under four years. Else why did Congress inaugurate the actual President on the 15th of June, 1861, when it should have waited till the first of December following? It might have been an error of fact, without altering the constitutional provision; yet that would not annul the President's acts in those few months; nor could it be said that he had exercised illegal powers, for he was president of the supreme court before he was President of the nation.

Besides all this, the literal meaning of article 80 gives justice to this resolution, as it says: "The President shall continue in office till the last day of November of the fourth year following that of his election." This needs no comentary; the language is plain and unmistakable. In counting the four years, after that of the election, the first year must be omitted; for a year cannot follow itself, as I have already said.

As the actual President was elected in 1861, the next year is 1862, and 1864 is only the third year after his election; therefore, the present presidential term closes on the 30th of November, 1865, in conformity with the literal tenor of article 80 of the constitution.

There can be no possible cause for mistakes on this point. And besides, if there are persons who doubt the true significance of these constitutional precepts, let them remember that the president himself is the proper person to fix their meaning, by powers granted to him by national congress.

As it is now settled that the presidential term does not end this year, the answer to your letter might close, if it were not expedient to answer other questions from important persons.

Many persons contend that all the President's acts are illegal after his term of office has expired; but they forget the extraordinary circumstances that have prevented a new election. They must know that, according to article 128 of the constitution all rules and limitations in regard to elections and terms of office are suspended by foreign war, and cannot be resumed till peace prevails throughout the country; and that article 82 was only inserted in the constitution to prevent the abuse of power by the President, and cannot possibly apply in the present case.

The law of stern necessity does not permit the supreme command of the nation to become vacant; so by the same law the power of the President and justice of the supreme court, though his term of six years be out, is prolonged, so that one may take the place of the other in case of necessity. For these reasons the President must hold command till the people have the liberty to elect some worthy person to succeed him, and not put the chief justice in his place as long as he pleases to retain it, provided his successor has not been elected by constitutional provisions, of which I have just spoken.

I do not wish to enlarge upon this subject, for the government wishes to give no opinion in regard to it. The present war prevents elections; when it is over, the law of elections will not require discussion. As to your inquires, whether you shall continue to hold your office of supreme judge after the expiration of the term, the preceding remarks have already answered it. Article 118 of the constitution prohibits the holding of two elective offices at once, leaving the candidate to choose one or the other. You were elected supreme judge and governor of the State of Zacatecas; you held court at San Luis Potosi, and then went to Zacatecas, when you immediately entered upon the duties of governor of that State. On this account many thought you had chosen the latter office, conforming to the constitution, and were governor of Zacatecas, and not supreme judge.

Although the constitutional articles refer to offices of the general government, it is thought they also apply to State offices. This belief is sustained by art. 118 of the constitution, which is the only one that alludes to incompatible offices. The choice is more applicable in this case, because, in former constitutions if an individual were elected to two offices he was obliged to accept that of the general government; but as there is no such provision in our present constitution, nothing prevented you from accepting the place of governor of Zacatecas in preference to the supreme judgeship. In corroboration of this opinion, it was thought that you had formed the same, as an excuse for your conduct. When you left San Luis it was known that you had asked license for a month, and after that you asked another month's leave of absence. It was supposed this was done to attend to some private business in another place; but it was not imagined that you intended to go to Zacatecas and assume the governorship there, which was inconsistent with your duties as supreme judge. It was supposed, after this was found out, that you had used your privilege of selection between two offices, and had chosen that of governor as preferable, intending to resign the judgeship in accordance with the provisions of the constitution.

As soon as the supreme government learned you were acting as governor of Zacatecas, you were informed, officially and privately, that it would please the supreme government if you would retain the judgeship, so as to replace the President in emergency. You were then informed that by special license from the national congress you could hold the office of governor for a time, without resigning the judgeship; but you neither asked the leave nor condescended to answer the letter sent you on the subject.

As all these circumstances were publicly known, it was universally believed

you had given up the judgeship, and regretted by many, because it disabled you from acting as President, in case of an emergency. Even the doubt of your being supreme judge would be injurious to the cause in case you might be called to fill the presidency.

Under these circumstances the President has exercised the power invested in him to declare you still president of the supreme court of justice, so that you may fill his place as President of the republic in case that emergency occurs.

In regard to the principal subject of this communication, namely, the meaning of the constitutional articles, there is no doubt it—the presidential term—does not finish this year, and you may be sure the President will observe the laws in this particular, as he has always observed them. The strict justice and probity of the President is well known, and now his only object is, as it always has been, to do his duty to the people. As he has already held the office several years, it can offer him no attractions; but, in the misfortunes of the republic, the President cannot defer his duties, as he understands them, in conformity to the wishes of the Mexican people.

Independence, liberty and reform! Chihuahua, November 30, 1864.

LERDO DE TEJADA

Citizen General JESUS GONZALES ORTEGA,
President of the Supreme Court of Justice, Present.

No. 2.

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,
Washington, February 25, 1865.

SIR: I have had the honor to receive your note of the 2d instant, with which you transmit, for the information of the government of the United States, a copy of "the official journal of the constitutional government of the Mexican republic," of December 3d last, in which the correspondence between General Gonzales Ortega, president of the supreme court of justice, and Señor Lerdo de Tejada, the minister for foreign relations, is published, in reference to the constitutional term of office of the actual President of the Mexican republic.

The decision, you are pleased to inform me, has been reached which sets at rest the doubt which previously existed in the minds of some of the statesmen of Mexico respecting the expiration of the presidential term of President Benito Juarez, which does not expire until the 30th of November, 1865, and which decision, you state, has been most favorably received throughout the republic.

Thanking you for your considerate attention in communicating this interesting information, I have the honor to renew to you, sir, the assurances of my very distinguished consideration.

WILLIAM H. SEWARD.

Señor MATIAS ROMERO, *&c., Washington, D. C.*

No. 3.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,
Washington, 8th of December, 1865.

MR. SECRETARY: I have the honor of transmitting to you, for the information of the government of the United States, the copy of a note dated 9th No-

vember last, at El Paso del Norte, from Mr. Lerdo de Tejada, minister of foreign affairs of the constitutional government of the Mexican republic, enclosing two decrees, issued the previous day by the President of that republic, and the circular of the minister of foreign affairs accompanying them, of which documents I also send a copy.

The constitution of the Mexican republic provides that the presidential term shall be four years. The fourth year of the term of the present President ended on the 30th day of November last.

President Juarez's recognized and proverbial respect for laws made many friends of Mexican independence fear that when that day arrived he would declare his presidency at an end, and deliver the supreme power of the republic to the president of the supreme court of justice, who performs the duties of vice-president in that republic, as the French invasion had prevented the election of a new President; while the enemies of Mexico wanted him to do it, thinking it would contribute greatly to their success; at least, because it would rid them of one of the strongest defenders of the independence of Mexico.

But the President did not wish to destroy the government of Mexico by conforming to a provision not comprehended in the present case. For a long time he had been receiving invitations from many of the most eminent patriots to act as he has done. In making this declaration the government only expressed the national will, and it is certain that the acquiescence of the Mexican people will confirm this resolution, made for the sole purpose of effecting a more perfect defence of national independence. The powers of President Juarez to issue such a declaration are amply sufficient, as you will perceive in the decrees of the Mexican congress, of which I transmit you copies.

I embrace this occasion to renew to you, Mr. Secretary, the assurances of my most distinguished consideration.

M. ROMERO.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

[Enclosure No. 1.—Translation.]

DEPARTMENT OF FOREIGN RELATIONS AND GOVERNMENT, AMERICAN SECTION—NO. 391.

PASO DEL NORTE, *November* 9, 1865.

I send you a copy of the official paper of to-day, containing two decrees issued by the citizen President of the republic yesterday, through this department, together with a circular explaining them.

One of the decrees relates to the prolongation of the functions of the citizen President of the republic, while the war prevents a constitutional election; and the other refers to the responsibilities to the citizen General Jesus G. Ortega, for having abandoned the office of president of the court of justice, and for the offence of deserting the flag of his country during war, and remaining abroad without leave of absence or commission from the government.

The object of these decrees is explained in the circular.

I protest my attentive consideration.

LERDO DE TEJADA.

Citizen MATIAS ROMERO,

Envoy Extraordinary and Minister Plenipotentiary of the Mexican republic in Washington, D. C.

A true copy:

IGNO. MARISCAL.

WASHINGTON, *December* 8, 1865.

[Enclosure No. 2.—Translation.]

DEPARTMENT OF FOREIGN RELATIONS AND OF GOVERNMENT.

The citizen President of the republic has been pleased to address to me the following decree:

Benito Juarez, constitutional President of the United Mexican States, to the inhabitants of the same, maketh known:

In accordance with the ample faculties conferred upon me by the national congress, by its decrees of December 11, 1861, May 3, 1862, and October 27, 1862, and May 27, 1863, and in consideration—

1. That in articles 78, 79, 80, and 82 of the federal constitution, the only ones which treat of the period of the functions of the President of the republic, and of the mode of supplying his place, the case only was anticipated of the possibility of holding a new election for President; and the actual fact of none being held, without any provision for the case of a war like the present one, in which, while the enemy occupies a great part of the national territory, it is impossible that general elections should be held at the ordinary stated times assigned for them;

2. That in those articles of the constitution, in order to supply a vacancy of the place of President of the republic, provision is made for intrusting the executive power to the president of the supreme court of justice, but only temporarily, in this one case that was anticipated, that a new election might as soon as possible be held;

3. That as it is impossible now to have an election, on account of the war, the fact that the president of the supreme court of justice should enter upon the duties of the government for an indefinite period would imply a prolongation and extension of his powers beyond the literal prescriptions of the constitution;

4. That, by the supreme law of the necessity of the preservation of the government, the continuance, in the present case, of the powers of the President and of his substitute, is the most conformable to the constitution; because, in order to avoid the danger of leaving the government without a head, it was established that there should be two functionaries, of whom one could supply the place of the other; and because, conformably to the votes of the people, the President of the republic was elected primarily and directly to exercise the functions of government, whilst the president of the supreme court was elected primarily and directly to exercise judicial functions, the executive power being intrusted to him only secondarily and provisionally, in case of absolute necessity

5. And considering that, as the present case has not been provided for in the constitution, the right of declaring what is most conformable to its spirit and prescriptions belongs exclusively to the legislative authority, which, by the law of the 11th of December, 1861, confirmed by other repeated votes of confidence of the national congress, was delegated to the President of the republic, in order that, without being subject to ordinary constitutional rules, he might be "invested with plenary power to make whatever regulations he might judge convenient under the present circumstances, without other restrictions than those of saving the independence and the integrity of the national territory, the form of government established by the constitution, and the principles and laws of reform—

I have thought proper to decree as follows:

ART. 1. In the present state of war, the functions of the President of the republic ought to be, and they are hereby, continued for the time that may be necessary beyond the ordinary constitutional period, until the government can be transferred to the new President that may be elected, as soon as the condition of the war may permit an election to be constitutionally held.

ART. 2. Similarly, the powers of the person who holds the position of president of the supreme court of justice should be, and they are hereby, continued for the time necessary beyond the ordinary period, in order that, in case the President of the republic should fail, he may be able to take his place.

Wherefore it is ordered that the decree be printed, published, circulated, and have due faith given to it.

Given at Paso del Norte, on the eighth day of November, one thousand eight hundred and sixty-five.

BENITO JUAREZ.

SEBASTIAN LERDO TEJADA,
Minister of Foreign Affairs and of Government.

I communicate the same to you for your information, and that it may have due effect.

Independence and liberty! Paso del Norte, November 8, 1865.

LERDO DE TEJADA

The GOVERNOR *of the State of* ———.

[Enclosure No. 3.]

DEPARTMENT OF FOREIGN RELATIONS AND OF GOVERNMENT.

The citizen President of the republic has been pleased to address to me the following decree:

Benito Juarez, constitutional President of the United Mexican States, to the inhabitants of the same, maketh known:

In accordance with the ample faculties conferred on me by the national congress, by the decrees of December 11, 1861, May 3, and October 27, 1862, and May 27, 1863, and in consideration—

1. That General Jesus G. Ortega, in July of the year 1863, preferred to undertake the duties of governor of the State of Zacatecas, resigning at the same time the position of constitutional president of the supreme court of justice;

2. That, on this account, following the examples of congress, which, on occasion of a vacancy in the office of constitional president of the court, had once provisionally appointed a president of the court, the government resolved at the city of Chihuahua, under date of November 30, 1864, and declared, as far as was necessary, that General Ortega continued to hold the position of president of the court of justice;

3. That the purpose literally expressed in that resolution was to avoid the danger of leaving the government without a head, by giving to General Ortega a certain and recognized title, in order, if the presidency of the republic became vacant, he might forthwith succeed to the position;

4. That, as it was not in opposition to this purpose, inasmuch as it could be attended to in any part of the republic, the government, on the 30th day of December, 1864, granted to General Ortega the permission which he asked on the 28th, to be allowed to go and sustain by arms the cause of independence in the interior of the republic, with the understanding directly expressed in the permit, in accordance with his own solicitations, that he might be allowed to go directly through Mexican territory, or else pass without delay through foreign soil;

5. That General Ortega subsequently set out, and, in place of merely passing through, according to the express tenor of his permit, has remained permanently, up to this time, in a foreign country, without license or commission, thus

abandoning the position of president of the supreme court, under the present serious circumstances of the war, when the danger and inconveniences might have been and may be greater of a want of a head for the government, which, in expectation of his action, had not made any haste to appoint a president of the court, who, in case of a failure of the President of the republic, might take his place;

6. That, in addition to this responsibility for official delinquency in the position of president of the supreme court, he appears, also, to be responsible for another delinquency in failing to obey general orders, inasmuch as, holding a position as general, he has proceeded voluntarily to take up his residence abroad during the war, thereby abandoning the cause of the republic, of its flag, and of the army;

7. That, conformably to article 103 of the constitution, the president of the court is responsible, during his period of office, as well for the official delinquencies, faults and omissions in the said position, as for common delinquencies;

8. And in consideration, also, that the government can and ought to declare this responsibility, in virtue of the power and ample faculties delegated to it by congress, not nullifying, but in necessary cases justly applying the provisions of the constitution in reference to the responsibility of public functionaries—

I have decreed as follows:

ART. 1. General Jesus Gonzalez Ortega, for having proceeded to take up his residence in a foreign country, during the war actually being waged, without license or commission from the government, appears responsible for official delinquency on account of the voluntary abandonment of the charge of president of the supreme court of justice; and, whenever he presents himself in the territory of the republic, the government will make proper arrangements for instituting judicial proceedings to pass judgment on his culpability, as it shall be made to appear.

ART. 2. In virtue of the ample faculties delegated to it by congress, and applying article 104 of the constitution, the government declares that there are grounds for proceeding against Jesus Gonzalez Ortega; and that whenever he presents himself in the territory of the republic, proper steps will be taken to obtain judgment on the offence involved in the fact, that, while holding the position of general in the army, he proceeded to reside permanently and of his own free accord in a foreign country during the war, without authority from the government, and to the abandonment of the army, of its flag, and of the cause of the republic.

ART. 3. Conformably to practice of congress on other occasions, the government, in the use of its ample faculties, will appoint a president of the supreme court of justice, in order that he may be able to succeed to the position of President of the republic, in case it should become vacant before the government can be turned over to a new President to be constitutionally elected, as soon as the condition of war will allow.

Wherefore, it is ordered that this decree be printed, published, circulated, and have due faith given to it. Given at Paso del Norte, on the eighth day of November, in the year one thousand eight hundred and sixty-five.

BENITO JUAREZ.

SEBASTIAN LERDO DE TEJADA,
Minister of Foreign Relations and of Government.

I communicate the same to you for your knowledge, and that it may have due effect.

Independence and liberty! Paso del Norte, November 8, 1865.

LERDO DE TEJADA.

The GOVERNOR *of the State of* ———.

[Enclosure No 4.—Translation.]

[From the official paper of the constitutional government of the Mexican republic. Volume I, No. 121, Paso del Norte, November 9, 1865.]

DEPARTMENT OF FOREIGN RELATIONS AND GOVERNMENT.—OFFICE OF GOVERNMENT.—SECTION FIRST.

[Circular.]

I send you two decrees issued to-day by the citizen President of the republic, relative to the continuation of his office, and the manner of filling it if he should fail, while the war prevents a new constitutional election.

Since the 30th of November, 1864, when the government decided, in Chihuahua, that the presidential term of four years did not expire at that time, but one year after, and the opinions of many public functionaries were adduced in that resolution to show that the powers and authority of the President should be prolonged to an indefinite period beyond the ordinary term as long as the extraordinary situation caused by the war should render it impossible to hold a new election; the government gave notice that the question should not be taken up at that time, but wait till circumstances should render it necessary to be decided.

As that time has now come, and the decree of this day has decided it, with sufficient reasons, I will only make a few remarks upon the articles of the federal constitution, to which the decree refers, and they are as follows:

"ART. 78. The President shall enter upon the discharge of his duties the first of December, and shall remain in office four years.

"ART. 79. During the temporary or absolute default of the President of the republic, before the newly elected is presented, the president of the supreme court of justice shall excercise that power.

"ART. 80. If the default of the President be absolute, a new election shall take place, in conformity with article 76, and the newly elected shall exercise his functions till the last day of November of the fourth year following his election.

"ART. 82. If, for any reason, the election of President is not held and published by the first of December, when he is to be replaced, or the elected is not ready to enter upon the discharge of his duties, the former shall nevertheless cease, and the supreme executive power shall vest temporarily in the president of the supreme court of justice."

These articles, as the decree of to-day says, are all that treat of the duration of the functions of the President of the republic, and of the mode of supplying his place. In them, not only in spirit but in a plain literal sense, it is seen that the constitution makes no provisions, and refers only to cases where the election has already been held, or could have been held, and orders it to be done immediately.

In fact, it is seen by article 79 that the president of the court shall exercise the power, in default of the President of the republic, before the newly elected presents himself; that in article 80 a new election is ordered; and in article 82, in more precise terms, it is repeated that the president of the court shall only be charged provisionally with the executive power, and shall only hold it until a new election can take place.

All the articles having this meaning, it is natural and necessary to attribute the same signification to the precept contained in 82, when it established that, at the end of the ordinary term, if for any reason the election for a new President had not been held and published, the former should yield, and the president of the court assume the executive power temporarily. This precept supposes, as all the other articles do, the possibility of holding an election, and wished to

provide for the case when no election had been held, although it could have been done.

Without attempting to make all the articles mean the same, the signification of 82 is plain enough to show that it was to apply only when an election was possible; for, in case no election was held and published, its precepts could not be applied, nor to the case where there had been no election or publication, or an election without publication.

The idea alluding to the possibility of an immediate election is plainer in article 82, where it says the executive shall be confided to the president of the court, who shall hold it temporarily. These two words were used, though either one of them would have been enough, to signify that the case was not thought of, where the president of the court should hold the power long or for an indefinite period, but that he should resign it, or only hold it till the publication of a new election already held should be made, or a new one be immediately held. It cannot be supposed that a temporary office would be held for an indefinite period; nor that the supreme executive power would be intrusted to an officer already elected to another office for the term of six years, and the period of which had almost expired.

It would be clearly wrong to give that meaning to an article of the constitution, when it would violate other articles of the same constitution. This would be the case if article 82 were so interpreted, even if an election were not possible; because other articles would be infringed, intrusting the supreme power to the president of the court, to hold it temporarily, till the new President elect should present himself, or till a new election could immediately take place.

It is evident that the meaning of article 82 is to prevent a President of the republic from abusing his power and authority by hindering the newly elected from taking his seat, or stopping an election when it could have been held. It could not possibly be applied to a case of this kind, where no act of the President, but war prevented an election from being held. As there is no cause for supposing abuse of power in this case, it is wrong to believe that the constitution intended to destroy the power it created, or to take it from one who deserved it most through the confidence of the people, and give it to another who was to assume it only under the most urgent circumstances prescribed by the constitution.

It is not strange or new that certain precepts of the constitution intended to apply in times of peace should be found inapplicable in times of war. The only article of the constitution that looks to this case is 128, which says: when a rebellion or war interrupts the execution of its precepts, "the observance of them shall be restored as soon as the people regain their liberty." For this reason it is not strange that the articles of the constitution in reference to the duration of the functions of the President and the mode of filling his place are not now applicable. In these articles a principle was laid down, and then the rules necessary to carry it out. In article 78 the term of four years was established as a principle for the duration of presidential power; and in articles 79, 80, and 82 rules for the renovation or substitution of the presidency, by default or at an end, were laid down. In cases where this principle is inevitably suspended, by war for instance, the constitutional regulations cannot be carried out or enforced till peace is declared.

In a case like the present, when war is waging, the supreme necessity of preserving the government makes it just and necessary to continue the functions of him who is the chief executive. If war makes it impossible to elect a President of the republic while the president of the court is holding the office temporarily, it is certainly right to prolong the office of the President to any period required, but only in case of absolute necessity.

As it is now impossible to hold an election, the president of the court would have to be put into power, and serve for the remaining time of his six years, if

it were not necessary for him to continue in power beyond that time, and thus violate the constitution. He can exercise the supreme power but for a short time, only till an election can be held; and if that cannot be done, he would have to hold over, even beyond the term of his office as supreme judge, contrary to the letter and spirit of the constitutional regulations.

So the impossibility of holding an election at the present time, on account of war, makes it absolutely necessary to prolong the presidential powers, either in the person of the president himself, or in the supreme judge. If this prolongation is inevitable, why not continue it with the President elect, the choice of the people, and not with a judge, who was to hold it for a limited time, till a successor could be elected? Undoubtedly it would be more proper and conformable to the constitution to prolong both offices, according to the will of the people; and as the constitution in time of peace wanted both the offices to be filled at the same time, so that the government should never want a head, would it not be more proper to keep them filled in time of war, when there is greater danger from anarchy? On the other hand, if there was any doubt about this being the most conformable to the spirit and letter of the constitution, the legislative power only could solve it; and as the citizen President of the republic now holds that power, delegated to him by congress, with unlimited extent, to do as he pleased in war, without other restriction than that of saving the independence and integrity of the territory, the form of government established by the constitution, and the principles and laws of reform.

As this question of prolonging the power of the President is settled, we must attend to the case of default or substitution. For this reason it was necessary to issue the other decree to-day, in relation to the fact that General Jesus G. Ortega remains in a foreign country, without leave or commission, has given up his place as president of the court, and resigned his rank in the army. He acted in the same manner, once before, at San Luis Potosi, giving up his place as constitutional president of the court of justice and assuming that of constitutional governor of the State of Zacatecas without any authority or license. In the resolution made by the government at Chihuahua, November 30, 1864, it was explained why it was presumed he had resigned the presidency of the court. Article 118 of the constitution prohibits the holding of two elective offices at the same time, but permits the elected to choose which he prefers. Although the article refers to offices of the general government, it must here apply to State offices also. Notwithstanding this, it was determined in Chihuahua that General Ortega should retain his office of president of the court, for the national interest, so that, in default of the President, the judge could take his place. He was not called constitutional president of the court, nor could the government give him that title, for he had resigned it in San Luis Potosi, and could only regain it by a popular election; but the government, using the full power conferred upon it, declared that General Ortega was vested with the character of the president of the court. In this, the government only followed a precedent of congress, that had appointed, on one occasion, a president of the court, when a constitutional president of the court was wanting.

In the copy annexed to this circular are shown the terms on which a license was granted to General Ortega, a few days after, to join the cause of independence as an officer in the interior of the republic. Against the express terms of this license, instead of going where he was needed, he left the country and went abroad, being guilty of two offences—one for giving up the presidency of the court, and the other for deserting his flag in time of war, he being a general.

In regard to the responsibility of public functionaries for dereliction of duties in the exercise of their offices, article 105 of the constitution says that Congress, as a criminal court, shall decide the guilt and impose the penalty upon all such offenders. The responsibility in ordinary offences, not military, is considered

in article 104, where it says Congress shall decide the jurisdiction, relieve the man of his office, and consign him to the civil courts.

Among the powers conferred upon the government by the decree of the 27th of October, 1862, there was the prohibition to violate title IV of the constitution, which treats of the responsibility of public functionaries. The object of this restriction was, that they should not be prosecuted by undue or arbitrary means, contrary to the provisions of the constitution; but this did not mean that they should not be prosecuted at all, only that the usual proceedings should be resorted to, to enforce responsibility. The government has made use of this power delegated to it by Congress, in punishing the treason of Santiago Vidaurri, and in other necessary cases; for it cannot be supposed that guilty officers would remain unpunished for political derelictions or common offences, prejudicial to the cause of independence, and in time of war.

For the serious reasons in the decree of to-day the government has decided that it was just and necessary to declare his responsibility. For giving up the place of president of the court, it has been declared that he shall present himself, as soon as he returns to the republic, and undergo his trial for that offence. For the crime of deserting his flag in time of war, it is also declared that he is subject to trial. Under the circumstances it was absolutely necessary for the government to notice General Ortega's responsibility. He has not only remained out of the republic when it was his greatest duty to remain in it, to remedy the inconveniences of a headless government in case of the President's default; but he has also gone without permission and remains away, not deigning to say when he expects to return. His conduct has hindered the proper course of government by his absence, and for this reason it has been found necessary to give this just attention to his responsibility.

The one who has had charge of the government for several years during the war, so far from any pleasure or interest in his charge, it is irksome and dangerous, and the only motive the President has in issuing this decree is his firm and constant determination to do his duty to his country and to the people who elected him to the last.

Independence and liberty! Paso del Norte, November 8, 1865.

LERDO DE TEJADA.

The GOVERNOR *of the State of* * * *

[Enclosure No. 5.]

DEPARTMENT OF FOREIGN RELATIONS AND GOVERNMENT.—OFFICE OF JUSTICE' INTERIOR AND PUBLIC INSTRUCTION.—SECTION FIRST.

On the 28th instant General Jesus Gonzalez Ortega, president of the supreme court of justice, directed the following communication to this department:

"As the supreme court of justice, of which I am the president, is not in session in this city, nor can it meet on account of the war and other circumstances now disturbing the republic, and desiring on my part to do my duty as a Mexican soldier, as I have always done since the beginning of the war with France, I beg you to remit this communication to the citizen President of the republic, that he may grant me, as president of the supreme court of justice, the corresponding license, by the power with which he is invested, to repair to the interior of the republic, or elsewhere within Mexican coasts, to continue to defend with arms the independence of Mexico.

"As the interior States are occupied by the invaders, I may have to pass some sea or foreign territory to realize my desires, and I hope you will inform the citizen President of this."

In reply to the above, the following communication was addressed to-day by this department to the said president of the supreme court of justice:

"In view of your request for leave of absence, as president of the supreme court of justice, to go to points not occupied by the enemy, in order to continue to defend the independence of Mexico with arms, the citizen President in ministerial council has determined to grant you leave for an indefinite time, till you may choose to return to the seat of government, or till the government calls you or gives you some commission; you may in the mean time go directly by sea or over foreign territory to points of the Mexican republic not occupied by the enemy, to continue to defend the national independence with whatever forces you can raise, on condition that you will act in concert with the governor and military commander of the respective State, in your military operations, or with other chiefs of republican forces, in repelling the enemy, always by command of the political or military authorities, from the supreme government, or its delegates properly authorized for the purpose.

"I send you this by supreme command, in answer to your despatch of the 28th instant."

And I have the honor to transmit it to you for your information and corresponding action.

Independence, liberty and reform! Chihuahua, December 30, 1864.

IGLESIAS.

The Citizen MINISTER *of Foreign Relations and Government, Present.*

A true copy:

JUAN VALDES,
First officer.

PASO DEL NORTE, *November* 8, 1865.

[Enclosure No. 6.]

Decrees of the Congress of the United Mexican States investing President Juarez with extraordinary powers.

No. 1.—1. Law of 11th December, 1861.
2. Speech of President of Congress.
3. Explanatory article, secret session.
4. Law of 7th June, 1861, referred to in above.
5. Articles of constitution, authorizing extraordinary powers.

No. 2.—6. Law of May 3, 1862.

No. 3.—7. Law of October 27, 1862.

No 4 —8. Law of May 27, 1863.

[Enclosure No. 7.]

1.—LAW OF DECEMBER 11, 1861.

DEPARTMENT OF GOVERNMENT.—SECTION FIRST.

The citizen constitutional President of the republic has been pleased to address to me the following decree:

Benito Juarez, constitutional President of the United Mexican States, to the inhabitants of the same, maketh known that the Congress of the Union has thought proper to decree the following:

ARTICLE 1. The law of the 7th of June of the present year, which suspended certain of the guarantees stipulated in the constitution, is hereby de-

clared to be in force, and the provisions of the same are hereby extended so as to include the suspension also of the guarantees contained in articles 11 and 27 in their first part.

ARTICLE 2. The executive is hereby fully authorized and empowered to take such steps and adopt such measures as in his judgment may be necessary, under the existing circumstances, without other restriction than that of saving the independence and integrity of the national territory, the form of government established by the constitution and the principles and laws of reform.

ARTICLE 3. This suspension of guarantees and the authorization conceded to the executive by the present law shall continue until thirty days after the next meeting of congress, to whom account shall be given of the use that may have been made of these powers.

Dated in the hall of sessions of the Congress of the Union in Mexico, December 11, 1861.

VICENTE RIVA PALACIO,
President of Congress.

JUAN N. GUZMAN, *Secretary.*
M. M. OVANDO, *Secretary.*

Wherefore I order that it be printed, published, circulated and observed.
National Palace of Mexico, December 11, 1861.

BENITO JUAREZ.

The Citizen FRANCISCO J. VILLALOBOS,
Chief Clerk in charge of Department of Government.

And I communicate the same to you for your intelligence and the consequent ends.

Liberty and reform! Mexico, December 11, 1861.

FRANCISCO J. VILLALOBOS.

The Citizen GOVERNOR *of the Federal District.*

[Enclosure No. 8.]

Extract from the speech of the president of Congress, at the close of the sessions of that body, on the 13th of December, 1861, *after conferring the foregoing extraordinary powers on the executive.*

"By a decree Congress, before closing its sessions, has authorized the executive in the most ample manner to dictate all measures that he may deem necessary under the present circumstances to confront the situation, saving only the national independence and integrity of territory, and the principles of the constitution and of the reform. By this, the greatest proof of confidence that a legislative assembly of the country has ever given to the depositary of the executive power, congress confides to this power the salvation of the republic, because it is convinced that in moments so supreme energy and efficiency depend almost always upon unity of action; and this idea is found also in our fundamental code in the fact which authorizes congress to concede to the executive extraordinary powers.

Incalculable is the weight which will rest upon the shoulders of the executive; terrible is the responsibility which, from this day forward, he is about to assume upon himself alone; but also immense are the resources which are placed at his control, and unlimited the faculties which have been given to him.

The sole consideration of the necessity of saving the country decided Congress to take this step. Upon the executive it now depends, and upon no other, to save the republic or precipitate it in the abyss.

The national assembly suspends to-day its legislative labors; but it will remain always on the watch as the sentinel of the public liberties, and ready to return to meet again at the moment when its presence shall be in any manner necessary for the good of the country.

It will then receive from the executive an account of this power, which to-day it delivers into his hands with so blind a confidence.

If the foreign question is not settled pacifically; if a scene of war is to be spread out over our country, we will enter into the combat; and the justice of our cause and the love of our country will present more or less near, but always true and beautiful, a future for Mexico.

God guard the republic!"

[Enclosure No. 9.]

Explanatory article adopted in secret session of Congress on the 13th December, as appears by proceedings afterwards published by order of Congress.

Account was given to a communication from the department of foreign relations, accompanying an initiative, that it might be declared precisely whether in the faculties conceded to the executive by the law of the 11th instant was that of concluding treaties with foreign governments and placing them in force.

It was ordered to be passed to the committee which had already reported on the subject.

The rules were dispensed with, and the following article was adopted by a vote of 60 against 41, viz:

ARTICLE 1. In consequence and resulting from the discussion and adoption of article 2 of the law of the 11th instant, the government is authorized to conclude treaties and conventions, and to place the same in course of execution, without the necessity of the approbation of Congress.

[Enclosure No. 10.]

Law of Congress of 7th June, 1861, referred to in article 1 of the preceding decree.

DEPARTMENT OF FOREIGN RELATIONS AND OF GOVERNMENT.

His excellency the President *ad interim* of the republic has been pleased to address to me the following decree:

The citizen Benito Juarez, constitutional President *ad interim* of the United Mexican States, to the inhabitants of the same maketh known, that the sovereign Congress of the Union has thought proper to decree the following:

ARTICLE 1. The first part of article 5, section first, title 1, of the constitution shall remain in these terms: In case of national public interest, every individual may be obliged to lend personal service, a just remuneration always being rendered.

ART. 2. The guarantee conceded by article 7, of the same title and section, is hereby suspended. The liberty of the press shall be subject for the present to the law of the 28th December, 1855, in so far as it is not opposed to the laws of reform; but with respect to writings which, directly or indirectly, attack the national independence and institutions, public order, or the prestige of the public authorities, the government may anticipate judicial sentence, imposing upon the authors of such publications a fine not exceeding one thousand dollars, which shall be exacted from the owner of the press in case the author is unknown or has not the means to satisfy it. The government may, in place of a pecuniary

fine, impose that of imprisonment or confinement for six months. The governors of the States can impose similar penalties; but in case of confinement, they shall give account to the general government, that it may designate the place, the offender remaining meanwhile properly secured. The members of the Congress of the Union shall be subject, the same as other citizens, to the prescriptions of this article.

ART. 3. For the exercise of the guarantee conceded by article 9 in political affairs the permission of the authorities shall be required.

ART. 4. The governors of the States and of the federal district, and the political chiefs of the territories, shall immediately issue regulations with regard to the carrying of arms, and shall designate what are prohibited, and the requisites for the use of those permitted, under the understanding that in no case shall this be made the pretext for the imposition of any pecuniary charge. In this sense the guarantee conceded by article 10 shall remain restricted.

ART. 5. The guarantees referred to in the first part of article 13, that conceded in the second part of article 18, and in the first and second part of article 19, are hereby suspended.

ART. 6. The first part of article 16 is restricted in these terms: No one may be molested in his person, house, or possessions, except by virtue of the order of a competent authority.

ART. 7. The guarantee conceded in article 21, with respect to political offences, is hereby suspended. The general government alone, in case of political offences, can impose correctional penalties, not exceeding one year of seclusion, confinement, or banishment. These penalties shall only be applied in cases where the offenders shall not have been submitted to the judicial authority.

ART. 8. From the moment of taking part, with arms in hand, in favor of whatever political opinion, the offence ceases to be merely political, and becomes merged in those of criminal law.

ART. 9. The second part of article 26 is hereby limited in these terms: In time of war, the military authorities may exact transportation, quarters, and personal service, in the terms directed by the ordinances of war.

ART. 10. The suspension of these guarantees shall continue for the term of six months.

ART. 11. The law of the 6th of December, 1856, with reference to conspirators, is hereby declared to have been and to be in force.

Dated in the hall of sessions of the Congress of the Union, in Mexico, the 7th of June, 1861.

FRANCISCO DE P. CENDEJAS,
Vice President of Congress.

E. ROBLES GIL, *Secretary.*
G. VALLE, *Secretary.*

Wherefore, and with the accord of the council of ministers, I order that it be printed, published, circulated, and observed.

Dated in the National Palace of Mexico, June 7, 1861.

BENITO JUAREZ.

The Citizen LEON GUZMAN,
Minister of Foreign Relations and of Government.

And I communicate the same to you for your intelligence and the consequent ends.

God and liberty! Mexico, June 7, 1861.

GUZMAN.

The Citizen GOVERNOR *of the Federal District.*

[Enclosure No. 11.]

The articles of the constitution relating to the suspension of guarantees and the grant of extraordinary powers by Congress to the executive are as follows: (See constitution in full in diplomatic correspondence on Mexican affairs for 1861, page 140.)

TITLE I.—SECTION FIRST.

ARTICLE 29. In case of invasion, grave disturbance of the public peace, or whatever cause which may put society in great peril or conflict, solely the President of the republic, in concurrence with the council of ministers and with the approbation of the Congress of the Union, and in the recess of this, of the permanent deputation, may suspend the guarantees established by this constitution, with exception of those that assure the life of man; but such suspension shall be only for a limited time, by means of general provisions, and of such a character as not to favor a determined individual purpose. If the suspension take place during the session of Congress, this shall grant such authorization as they shall deem necessary to enable the executive to confront the circumstances. If it shall take place during recess, the permanent deputation shall, without delay, convoke the Congress for its advice and action.

TITLE III—SECTION FIRST—PARAGRAPH THIRD.

ARTICLE 72. Congress has the power—

* * * * * * * * *

Thirtieth. Of making all laws which may be necessary and proper to render effective the foregoing powers, and all others conceded by the constitution to the powers of the Union.

TITLE VIII.

ARTICLE 128. This constitution shall not lose its force and vigor, even if its observance be interrupted by any rebellion. In case that by means of such an event, a government shall have been established contrary to the principles which it sanctions, immediately upon the people recovering their liberty its observance shall be re established, and, according to its provisions and the laws which have been passed in virtue of it, shall be judged as well those who have figured in the government emanating from the rebellion as those who have co-operated with it.

[Enclosure No. 12.]

2.—LAW OF MAY 3, 1862.

Benito Juarez, constitutional President of the United Mexican States, to the inhabitants of the same maketh known, that the Congress of the Union has thought proper to decree the following:

ARTICLE 1. The suspension of guarantees established by the law of the 11th of December, 1861, is hereby continued.

ARTICLE 2. The Executive is again authorized in the terms prescribed in the said law, with the limitations therein established; and, besides that, of not intervening in matters of a judicial order commenced, or that may be pursued, between private individuals.

ARTICLE 3. The suspension of guarantees, and the authorization to the Executive spoken of in this law, shall continue until the meeting of Congress, on the 16th of September next; and if then its meeting shall be impossible, by reason of the foreign war, or from the elections not having taken place, they shall continue until the next first meeting of Congress shall take place.

ARTICLE 4. In case that the regular elections of members of Congress cannot take place in certain of the districts on the days prescribed by law, the government will take care to designate other periods in order that the meeting of Congress may take place at the earliest possible moment.

ARTICLE 5. The Executive will give an account of the use that he may make of the faculties and powers conceded to him by this law within the first fifteen days after the meeting of the national Congress.

Dated in the hall of sessions of the Congress of the Union, Mexico, May 3, 1862.

JOSÉ LINARES,
President of Congress.

REMIGIO IBAÑEZ, *Secretary.*
M. M. OVANDO, *Secretary.*

Wherefore, I order that it be printed, circulated, and that due compliance be given to it.

National Palace of Mexico, May 3, 1862.

BENITO JUAREZ.

The Citizen MANUEL DOBLADO,
Minister of Foreign Relations and of Government.

And I communicate the same to you for your knowledge, and the consequent ends.

God and liberty! Mexico, May 3, 1862.

DOBLADO.

The Citizen GOVERNOR *of the Federal District.*

[Enclosure No. 13.]

3.—LAW OF OCTOBER 27, 1862.

DEPARTMENT OF FOREIGN RELATIONS AND OF GOVERNMENT.

The citizen President of the republic has been pleased to transmit to me the following decree:

The citizen Benito Juarez, constitutional President of the United Mexican States, to the inhabitants of the same maketh known, that the Congress of the Union has thought proper to decree the following:

ARTICLE 1. The dispositions contained in articles 1 and 2, of the law of May 3 last, are declared in full force.

ARTICLE 2. The suspension of guarantees and the authorizations conceded to the Executive by the present law will last six months, provided that peace with France is not re-established before the end of that period. If the war should last more than six months, said suspension and authorization will last until thirty days after the reassembling of Congress.

ARTICLE 3. The Executive will give an account of what use he has made of these faculties within fifteen days after the authorizations have ceased.

ARTICLE 4. It is declared that the Executive has no faculty to interfere nor decide in civil affairs between private persons, nor in criminal cases, in which offence of private rights only is involved.

ARTICLE 5. In the powers granted by this decree is not included that of contravening in any way the provisions of title 4* of the constitution.

Given in the hall of sessions of the Congress of the Union, in Mexico, October 27, 1862.

JOSÉ GONZALEZ ECHEVARRIA,
President of Congress.

FELIX ROMERO, *Secretary.*
JOAQUIN M. ALCALDE, *Secretary.*

Wherefore, I order that it be printed, published, and carried into effect.
National Palace of Mexico, October 27, 1862.

BENITO JUAREZ.

The Citizen JUAN ANTONIO DE LA FUENTE,
Minister of Foreign Relations and of Government.

And I communicate the same to you for your information and the consequent ends.

Liberty and reform! Mexico, October 27, 1862.

FUENTE.

The Citizen GOVERNOR *of the Federal District.*

[Enclosure No. 14.

4.—LAW OF MAY 27, 1863.

DEPARTMENT OF FOREIGN RELATIONS AND OF GOVERNMENT.

The citizen President of the republic has been pleased to address to me the following decree:

Benito Juarez, constitutional President of the United Mexican States, to the inhabitants of the same maketh known, that the Congress of the Union has been pleased to decree the following:

ARTICLE 1. The suspension of individual guarantees ordained by the law of the 27th October, 1862, and the concession of powers which by the said law was made to the executive, is hereby extended until thirty days after the next meeting of Congress in ordinary session, or before, if the war with France is terminated, continuing also in force the conditions and restrictions imposed upon the executive by the aforesaid law.

ARTICLE 2. In what relates to treaties, agreements or diplomatic conventions that the government may conclude, it is understood that no intervention of any kind shall be admitted.

Dated in the hall of sessions of the Congress of the Union, in Mexico, May 27, 1863.

S. LERDO DE TEJADA,
President of Congress.

FRANCISCO BUSTEMENT, *Secretary.*
M. M. OVANDO, *Secretary.*

Wherefore, I order that it be printed, published, and observed.
National Palace of Mexico, May 27, 1863.

BENITO JUAREZ.

The Citizen JUAN ANTONIO DE LA FUENTE,
Minister of Foreign Relations and of Government.

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* Regarding the responsibility of public functionaries.

And I communicate the same to you for the consequent ends. Liberty and reform! Mexico, May 28, 1863.

FUENTE.

The Citizen GOVERNOR *of the Federal District.*

[Enclosure No. 15.]

Congress closed its session on the 31st of May, 1863, and on the 10th of June the city of Mexico was occupied by the French forces.

Since that time no session of Congress has been held, nor has it been possible for any elections to take place. President Juarez has, therefore, continued in the exercise of the extraordinary powers conferred upon him by the law of 27th May, 1863, and in pursuance of the same and by virtue of article 128 of the constitution; on the eighth day of November last, before the normal expiration of his term, which would have closed on the 30th November of the past year, he issued a decree extending the term of his office, in compliance with the advice and wishes of nearly all the liberal leaders, until the expulsion of the invaders shall permit an election to be held.

No. 4.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,
Washington, 5th of February, 1866.

MR. SECRETARY: I have the honor to transmit to you, for the information of the government of the United States, a copy of a letter which Señor Lerdo de Tejada, the minister for foreign affairs of the government of Mexico, addressed to me under date of January 4th last past, (No. 1,) transmitting to me a copy of the second number of the official organ of the Mexican government published on the same day at Paso del Norte, containing several official documents relative to the desertion of General Don Manuel Ruiz, who protested, on the 30th of November last, against the decree of the Mexican government of the 8th of November, which declared the term of the constitutional President of Mexico to be extended until a new election can be held in that republic. I enclose you a copy of that paper.

I take the liberty of calling your attention to the communication which Señor Lerdo de Tejada, the minister for foreign affairs and government of the Mexican republic, addressed to the minister of justice on the 7th of December following in relation to the protest referred to.

I avail myself of this opportunity to renew to you, Mr. Secretary, the assurances of my most distinguished consideration.

M. ROMERO.

Hon. WILLIAM H. SEWARD, &c.

No. 1.

[Enclosure No. 1.—Translation.]

DEPARTMENT OF FOREIGN AFFAIRS AND GOVERNMENT,
DEPARTMENT OF AFFAIRS, BUREAU OF AMERICA,
Paso del Norte, January 4, 1866.

I transmit to you a copy of the second number of the "official organ of the government," dated this day, in which has been copied the protest of Don Manuel Ruiz, written at Hidalgo del Parral on the 30th November last, (which protest is found in a newspaper taken from the enemy,) in relation to the prolongation of the functions of the President of the republic.

You will also find in the official paper the communication which this department addressed to that of justice respecting the subject.

I communicate this to you that you may be informed of the groundless protest of Don Manuel Ruiz and of his personal conduct.

I renew to you my very distinguished consideration.

LERDO DE TEJADA.

The Citizen MATIAS ROMERO,
Envoy Extraordinary and Minister Plenipotentiary of the Mexican Republic, Washington, D. C.

A true copy:

IGNO. MARISCAL, *Secretary.*

WASHINGTON, *February* 5, 1866.

[Enclosure No. 2.—Translation.]

[From the official paper of the constitutional government of the Mexican republic. Vol. 11, No. 2, Paso del Norte, January 4, 1866.

D. MANUEL RUIZ.

We extract what follows from No. 1 of the "*Nueva Era*," 23d December last, an official paper published by the enemy in the city of Chihuahua:

News from Rio Florido.—Protest of Manuel Ruiz.

Expeditionary corps of Mexico; 2d division of infantry; chief of staff. Chief of the State squadron, Major Billot, in command of the French forces at Rio Florido:

RIO FLORIDO, *December* 1, 1865.

DEAR SIR: Señor Don Benito Juarez having prorogued the constitutional term of office, and I no longer recognizing his character as President of the republic, which position he formerly held by law, have resolved to take no longer any active part in public affairs, and to return to private life, there to resume my profession as a lawyer, and earn my daily bread.

Having that object in view, I wrote to Parral yesterday the letter I now enclose for your perusal, and immediately approached your lines to appear before you, for the purpose of making known my resolution. I believe myself justly included among those who are benefited by the decree of amnesty of the 3d ultimo, on account of my resignation from office and my voluntary surrender to you. The text of this decree having been communicated to me yesterday

privately, by a friend, with entire confidence, I now appear before you, as the representative of power nearest at hand, and trust that I am deserving of all respect and justice.

I am, sir, your very obedient servant,

MANUEL RUIZ.

P. S.—As it is impossible to print the enclosed communication in this locality' I would be much indebted to you if you would forward it to any part of the country where publicity may be given to my letter, its publication being in accordance with my earnest wish.

Your obedient servant,

MANUEL RUIZ.

A true copy:
By the Lieutenant Colonel and Chief of Staff,

LEVAL.

[Enclosure No. 3.]

Protest of Don Manuel Ruiz.

SIXTH CONSTITUTIONAL MINISTRY OF THE SUPREME COURT OF NATIONAL JUSTICE.

This day brings to a close the usual constitutional term of office of the acting President of the republic, as set forth by article 80 of the federal constitution.

From to-morrow, the supreme executive power of the nation can only be legally exercised by the acting president of the supreme court of justice, or by the constitutional minister who, as acting President, legally assumes his duties and for cause. By this statement it will be seen that the prorogation of the constitutional term of office which the acting President has taken upon himself to accord by his decree of the 8th instant does not bestow upon him the right of continuing in the exercise of the supreme national power, inasmuch as such proceedings is in direct violation of the sense of the constitution, as well as prejudicial to the honorable discharge of the functions invested in him by the decree of October 27, 1862.

The general constitution, by article 82, decrees in the most explicit manner that at the close of the ordinary term of office of the President of the republic, whatever obstacle may arise preventing the election of a successor, or the instalment of the President elect, the supreme power shall invariably be intrusted to the hands of the president of the supreme court. The law of October 27, cited above, does not in any emergency authorize the Executive to prorogue the national term of office, nor deprive the rightful depositary of the supreme power of his privileges, nor appoint a successor to whom can be passed the rights and liberties of the nation. On the contrary, by that decree he is commanded to preserve inviolate the form of government laid down by the constitution, and forbidden to take such measures as would lead to the violation of chapter four of the constitution, relative to the rights and duties of public officials. It being evident that the orders contained within the several decrees of the 8th instant violate the general constitution and secondary laws, men of honor and conscientious citizens, those who would deserve from the nation a vote of high confidence, those who have placed faith in the principals that have been so dearly bought, those who trust in the salvation of the country by a strict enforcement of the laws, and who would not behold their dearest hopes shattered by one blow, must see that it is their imperative duty not only to protest against the usurpation of the national power, whatever may be the emergency referred to as a pretext for such illegal action, but must abstain from taking any part in public affairs, until the supremacy of the law be asserted and order re-established.

For these reasons, from this ministry, I, acting as constitutional minister of the supreme court of justice, and protesting by a solemn protest against the flagrant violation of the fundamental and secondary laws of the divers decrees of the 8th instant, do hereby announce my retirement to private life, and my intention to support my family by my personal exertions, taking to my home a tranquil conscience that tells me that I have acted justly and done my whole duty.

I trust, sir, that you will present this epistle to the acting President of the republic, informing him that my determination does not in the least affect the sentiments of peculiar esteem that I have ever professed to entertain for him.

Independence, liberty, and reform! Hidalgo del Parral, November 30, 1865.

MANUEL RUIZ,

Acting Minister of Justice of the Constitutional Gov't of the Republic.

[Enclosure No. 4.]

The preceding protest of Mr. Ruiz was received at the department of justice, and sent to the government, as the following communications will show:

DEPARTMENT OF JUSTICE, INTERIOR AND PUBLIC INSTRUCTION—SECTION 1.

For subsequent action, I have the honor to send you the original of the note of General Manuel Ruiz, of the 30th November last, to this department, in which he protests, as minister of the supreme court of justice, against the decrees of the 8th of November last.

Independence, liberty, and reform! Chihuahua, December 6, 1865.

IGLESIAS.

The MINISTER *of Foreign Relations and Government.*

[Enclosure No. 5.]

DEPARTMENT OF FOREIGN RELATIONS AND GOVERNMENT, OFFICE OF GOVERNMENT—SECTION 1.

With yours of yesterday I received the protest of Manuel Ruiz, sent to you from Hidalgo del Parral the 30th of November last, relating to the decrees of the 8th of November, issued by this department, prolonging the term of the President of the republic, according to the constitution, so long as the war prevents a new constitutional election, and to the responsibility of General Jesus J. Ortega, who was president of the supreme court of justice.

As Mr. Ruiz announced, in his protest, his submission to the invader, it was impossible to send him a reply. And a reply to him was unnecessary, as his protest contains no argument against the circular and the published decrees, but only consists of general terms, without the least reason. It is evident from his protest that he did not even consult the text of the law of October 27, 1862, which he pretends to quote, for it was in the law of 11th of December, 1861, that were to be found the terms to which he referred, in which the national Congress grants extraordinary powers to the President.

Mr. Ruiz was certainly selfish, and wanted to assume the powers of constitutional magistrate himself; but without the least reason.

Articles 79 and 82 of the constitution, the only ones relating to the supplying the President's place, indicates the president of the court of justice, and no other magistrate, as capable of filling the place accidentally. The constituent Congress at the same time formed the constitution and the organic law of elections the 3d of February, 1857, where, in articles 43, 45, 48, and 52, it is decreed, that at the general elections, deputies to the national Congress shall be elected on the first

day, a President of the republic and president of the supreme court of justice the second day, and magistrates to the number of ten, with four supernumeraries for the same court, on the third day. In this manner the organic electoral law, according to the constitution, united the election of President of the republic and president of the court, so the people could choose at the same time two officers, one of which was to supply the place of the other in case of accident; and putting off the election of magistrates, who were only to occupy positions as judges, till the next day.

So, then, the constitution established by this electoral law that there should only be one vice-president of the republic, and not fifteen aspirants to that place. It is well known that when a motion was made in Congress to allow magistrates to supply the place of President of the republic, in case of the default of the president of the supreme court of justice, the proposition was unanimously rejected. Thus the matter was settled, beyond a doubt; and for that reason the government, in the decrees of the 8th of November, did not think it worthy of mention.

Besides the want of foundation of the protest, we must consider the conduct of him who made it. If Mr. Ruiz had really believed it wrong to prolong the duties of President he could have protested against it, and not considered it his duty to go and submit voluntarily to the enemy for that reason. He could not allege fear of persecution, as long as he remained in places subject to the government of the republic, for his high offices as magistrate and general protected him; and he well knew that the government always permitted the most liberal opinions, provided they were not inimical to the country. As an instance of this, the government permitted Mr. Ruiz to declaim against the decrees, long after they were promulgated, and wherever he went.

When the seat of government was moved in August last from this city to Paso del Norte, Mr. Ruiz said, at the beginning of September, that he was determined to return to this city, and thence to the city of Mexico to join his family. This was well known, for he did not hesitate to tell it to everybody attached to the government. He even fixed the day of his departure, and continued to put it off, sometimes on account of the solitary roads, till he heard that this city was to be evacuated. He then pretended to delay his departure on account of health and for want of means, as the circumstances of the government at El Paso did not permit it to pay its officers their usual salary.

All who accompanied the government well know that Mr. Ruiz intended to join the enemy as early as the first of September, two months before the issue of the decrees mentioned, and no one doubts but that he used the protest as an excuse for his desertion of the national cause. It was also well known in San Luis, Saltillo, and Monterey that he was hunting excuses to oppose the government, encouraged those who did censure it, and was ready to accept any pretext for his conduct, and go over to the enemy.

The government made no attempt to prevent him, because it never wished to force any one to adhere to it, but left it to the free will of those who would stand by it voluntarily in times of trouble.

Independence and liberty! Chihuahua, December 7, 1865.

LERDO DE TEJADA.

The Citizen MINISTER *of Justice, Iomento and Public Instruction.*

No. 5.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION TO THE UNITED STATES OF AMERICA,
Washington, 8th of February, 1866.

MR. SECRETARY: I have the honor of transmitting to you, for the information of the government of the United States, an extract from number 286 of "El Nuevo Mundo," (The New World,) a paper published in Spanish in the city of San Francisco, State of California, in which you will see the address of the "Mexican Patriotic Club" of that city, composed of Mexican citizens residing there, to the President of the Mexican republic, on the 24th of December, 1865, expressing approbation of the decree of the 8th of November previous, which declared the extension of the presidential term till a new election could take place.

Similar addresses of Mexican associations in Napa and Marysville are found in the same extract, and in separate slips other manifestations from Mexicans residing in other places within the State of California.

These addresses of Mexicans residing abroad is the faithful expression of the sentiments cherished by all the people of the Mexican republic upon this subject.

I am pleased to have this opportunity to renew to you, Mr. Secretary, the assurances of my most distinguished consideration.

M. ROMERO.

Hon. WILLIAM H. SEWARD, *&c.*

[Enclosure No. 1.—Translation.]

[From No. 286 of El Nuevo Mundo, San Francisco, California.]

Mexican Patriotic Club, of San Francisco.

SAN FRANCISCO, *January 5*, 1866.

In conformity with the resolutions of the Mexican Patriotic Club of this city, I have the honor of transmitting to you the original address of the loyal Mexicans residing in San Francisco to the citizen President of the republic, Benito Juarez, expressing their satisfaction with the decree issued at El Paso del Norte, on the 8th of November last, extending the term of the chief magistrate of t he nation, according to the constitution, till the present war against a foreign invader allows a new election.

Please communicate the address, Mr. Minister, to the citizen President, and accept the assurances of my courteous consideration and esteem.

JOSÉ A. GODOY.

Citizen SEBASTIAN LERDO DE TEJADA,
Minister of Foreign Relations and Government.

[Enclosure No. 2.]

To the citizen President of the Mexican republic, Benito Juarez:

The undersigned, loyal Mexicans residing in San Francisco, California, offer you this plain address, to inform you, with due respect, that the decree issued by the supreme government, at Paso del Norte, on the 8th of November last, has calmed the anxiety we felt at seeing the approaching termination fixed by the constitution to the presidency of the chief magistrate of the republic.

In fact, we were afraid you would feel yourself obliged to descend from the elevated position where the nation has placed you, thus leaving it vacant, and abandoning the defence of our independence. Your way is certainly endangered by precipices; but you have avoided them by your intelligence and presence of mind, qualities that few men can display in dangerous situations like those now prevalent in our country. You, citizen President, are now the personification of the Mexican nationality, which is threatened, and it is necessary that all should acknowledge your continuation in the supreme power, in order to repel the foreign enemy from the territory of the republic, which it pollutes with its unclean footsteps.

The nation, through its sovereign Congress, invested you with full power to defend it against hateful invaders, and thus preserve its independence.

You, who have never doubted our success, who have remained firm in the middle of so many reverses threatening our country, who have never been intimidated by our opponents, nor discouraged by the victories of the invaders whose hope to liberate Mexico from them has never wavered, and will surely be realized, you have the unavoidable duty, though at the sacrifice of rest and comfort, to continue in the exercise of the presidency of the republic till the state of war can allow a constitutional election, which we are certain will fall to the lot of the upright citizen who is determined to sacrifice himself for his country.

We wish success to the republic; we congratulate you; and we rejoice ourselves, though residing temporarily in a foreign land, at the events occurring in the republic, and we accept with joy the decree mentioned in the beginning of this address.

SAN FRANCISCO, *December* 24, 1865.

JOSÉ A. GODOY,
Col. JOSÉ MONTESINO,
J. C. VALADÉS,
F. P. RAMIREZ,
J. J. VALADÉS,
MIGUEL QUINTANA,
Com'r PABLO ROCHA,
TRANQUILINO RUIZ,
JUAN M. COTA,
ADOLFO SCHOBER,
JUAN RIVAS,
(With sixty-two other names.)

[Enclosure No. 3.]

MEETING IN NAPA.

I, Martin Aguilar y Rios, assembled the loyal Mexicans at present in this city of Napa, county of the same name, on this day, 2d of January, 1866, and represented to them that it was very necessary for us Mexicans here to express our sentiments about the decree issued and published at Paso del Norte on the 8th of November last, and have our resolutions communicated to our indefatigable and brave citizen President, Benito Juarez, by our worthy and respectable republican consul, citizen José A. Godoy. All present were pleased with the decree, and the resolutions of the consul, as President of the Mexican Patriotic Club, in San Francisco, and with the four articles that were read and approved by the club, and with the motion made by citizen Commander Pablo Rocha.

I also told them, that though we were very far from the seat of government, it was necessary for us, during this crisis to which our enlightened President was subjected, to vote him thanks for the decree he issued, to prevent many incon-

siderate people from thinking the nation had no chief, if he resigned, and to convince them that it is not so.

Let those who think so remember that such pretensions can never be realized, and that the day is not far distant when the tyrant must succumb. Let us all exclaim: Long live our enlightened President, our republican institutions and our country! Down with traitors, death to Napoleon, death to Maximilian and all his partisans!

And we all immediately signed these resolutions on the day, month, and year above mentioned, that they might be communicated to the President, on the motion made by our consul to the unions and clubs of California and Nevada.

MARTIN AGUILAR Y RIOS.
GUMERSINDO FLORES.
JUAN LOPEZ.
BASILIO SOLANO.
JOSÉ DE LA CRUZ RAMOS.
RAFAEL CORONADO.

Then follow the names of those who could not write, but were willing to have their names signed: Dolores Barba, Lewis Barba, Jesus Landero, Cayetano Madrid, José Madrid, Francis Asedo, Basilio Asedo, Juan José Carbajal, Juan José Silvas, and thirteen others.

These persons were present when the decree issued at El Paso del Norte, on the 8th of November last, was read, as well as the resolution offered in San Francisco, Upper California, by the president of the Patriotic Club, on the 24th of December last.

The above is a true copy of their proceedings.

MARTIN AGUILAR Y RIOS.

NAPA CITY, *January* 2, 1866.

[Enclosure No. 4.]

DEAR SIR: I have the honor of offering to you, in the name of Mexican Patriotic Union of Marysville, our very humble but free assent to the worthy proposals you made us in your note published in No. 282 of our paper, *El Nuevo Mundo*. I am pleased to inform you that our meeting was very enthusiastic and unanimous. After reading your four resolutions, about the decree of the 8th of November last, and that of Commander Rocha, the meeting adjourned, and we shouted many times for our worthy President, Don Benito Juarez. On motion of several members, the register was called for and the vote taken Here are the names of those who signed: Miguel Ramirez, president, Julian Bojorquez, secretary, Pablo Solorzano, 1st judge, Jesus Anaya, José M. Ruiz, Jesus Bustillos, Manuel Murua, José F. Real, and many others. These are the names of the members of the Patriotic Union, who request you to present our best wishes to our worthy supreme magistrate of the Mexican republic, citizen Don Benito Juarez, for his success in the discharge of his duties, and we pray the supreme legislator of all nations to insure his success; and when he saves Mexico, present and future generations will be proud to call him our illustrious and meritorious deliverer of his country. With due respect, your faithful and attentive servant,

MIQUEL G. RAMIREZ, *Pres't*

Señor Don José A. GODOY, *Mexican Consul.*

I certify to the above copy:

JULIAN BOJORQUEZ, *Secretary.*

MARYSVILLE, *January* 4, 1866.

To the President of the Mexican Patriotic Club, of San Francisco:

Supplement to the list of voters: Citizens Pedro Gonzales, Placido Padilla Cayetano Bayeteros, and twenty-two other names.

[Enclosure No. 5.—Taken from The Nuevo Mundo of the 5th of January, 1866, No. 285.]

Patriotic resolution of the Mexicans residing in Virginia, State of Nevada, in favor of continuing the presidental term of the well-deserved citizen Benito Juarez.

PATRIOTIC MEXICAN CLUB OF VIRGINIA.

We, the undersigned, Mexican citizens residing in this city, have received with entire satisfaction the decree issued by the supreme goverment at El Paso del Norte, on the 8th of November, 1865, prolonging the functions of the President of the republic, and continuing in office at the head of the destinies of our beloved country, citizen Benito Juarez, who by his eminent capability and other qualities has sustained himself during the crisis that has come upon our unfortunate country, now desecrated by the vile invader, over whom we hope he will soon triumph.

This association requests the consul of the republic in San Francisco to present this resolution to the minister of relations and government of the republic for the information of the citizen President, whom we beg to accept the assurances of most distinguished consideration and respect.

FRANCISCO COTA, *President.*

J. M. BOLDAN, *Secretary.*

VIRGINIA CITY, STATE OF NEVADA, *December* 31, 1865.

S. Lopez; Blas Mendez; Bernardo Arambula; Rafael H. Gonzales; Cruz M. Saenz; Ignacio Ceballos; Luciano Collantes; José M. Macias; J. Juan Grijalva; Miquel Garcia; Pedro Cacillas; Rufo Gastelum; Prajedis Reyna; Felix Arias; Fernando Romo; F. Carabajal; Justo Gonzales; Antonio Martinez; Mariano Andrade; Antonio Orosco; Luz Cobarrubias; Cisto Barcelona; Rosario Carrasco; Baltazar Rodrigues; Ramon Morales; Juan Carrasco; Gregorio Lopez; Jaime Moris; José Areyanes; Juan Cuevas; Feliciano Orosco; José Maria Martinez; SantiagoOntiveros; Ramon Ruiz; Antonio Elenes; Blas Portela; Antonio Coronado; Pedro Soto; Estanislas Martino; Eduardo Roderik; Fernando Lopez; Jesus Lopez; Francisco Gonzales; Merced Villegas; Felix Esquivel; José Benites; Jesus Valenzuela; Bautista Estrada; Francisco Miranda; José Espinosa; Juan Alvarez; Florentino Alvarez; Miguel Mora Juan Savala; Ignacio Banco; Jesus Aguilar, jr.; Adolfo Hernandez; Jesus Rojas; Julian Valencia; Rosario Preciado; Loreto Aguilar; José M. Alcaraz; Ramon Catalan; Isidoro Niebla; José Ayala; Manuel Encias; Abato Silvas; Navor Filix; Francisco Galindo; Maximino Lechuga; Antonio Escalante; Juan Ruiz; Silvestre Toquinto; Ramon Diaz; Manuel Carrisora; Rafael Romero; Francisco Castillo; Juan Tapia; Marcelino Carabantes; Paulino Aguilar; Bartolo Bustamante; Elijio Robles; Geronimo Castillo; José Benites; Isidro Games; José M. Najar; Donaciano Mazon; Jesus Maytorena; José Solano; Ambrosio Espinosa; Gabriel Florez; Francisco Huerta; Manuel M. Mazon; Reyes Armenta; Reyes Valenzuela; Nicolas; Meza; Rafael Romo; Matias Arvallo; Inez Alcaraz; Juan Zazueta; Gil Castro; Santos Guzman; Donoteo Hernandez; Quirino Montoya; José Romirez; José Carmera; Esaltacion Canseco; Longino Duarte; Felipe Ortega; Jesus Orosco; Clemente Lugo; Luis Escagedas; José P. Saavedra; Francisco Coronado; Pascual Cervantes; Justo Ochoa; Hilario Arambula.

The MINISTER *of Relations and Government of the Republic.*

[Enclosure No. 6.—Translation.]

[Taken from the Nuevo Mundo of San Francisco, of the 17th of January, 1866, No. 290.]

The Presidency of the Mexican Republic to the Mexican consul in San Francisco, Mr. José A. Godoy.

VERY DEAR SIR: As you are the interpreter of our sentiments, I enclose you a list of Mexican citizens residing in this city, that you may communicatr our resolutions to the minister of relations and goverument of the republic, fo the information of the citizen President.

I offer you, in the name of the society over which I have the honor to preside, our best consideration and respect.

SANTIAGO BARRON, *President.*

J. J. A., *Secretary.*

SACRAMENTO CITY, *January* 13, 1866.

[Enclosure No. 7.]

All the loyal Mexican citizens within the corporation assembled in the city of Sacramento on the 10th of January, 1866.

It has given us great pleasure to receive the decree issued by the supreme government at Paso del Norte, on the 8th of November, 1865, by which the functions of the President of the republic are prolonged, and the illustrious and indefatigable citizen Benito Juarez, who has sustained himself in this unequal and terrible contest, and who will, without doubt, gain a complete triumph to crown his sufferings, has been continued at the head of the destinies of our beloved country.

We request the consul of the republic in San Francisco to present this resolution to the minister of relations and government, for the information of the citizen President, whom we beg to accept the assurances of our consideration and respect.

SANTIAGO BARRON, *President.*

J. J. A., *Secretary.*

SACRAMENTO CITY, CALIFORNIA, *January* 10, 1866.

Santos Moreno, Santana Avila, Antonio Damas, Francisco Leon, Lucas Lopez, Jesus Rodrigues, Juan Montes, J. Gutierrez, Gregorio Gomez, Domingo Soto, José de la Cruz, Manuel Torre Blanca, Victoreano Cañedo, Cosme Diaz, Miguel Esquivel, Luis Lopez, Juan José Vera, Rosario Ugues de Lopez, Miguel Avila, Pedro Martinez, Guillermo Melendres, Miguel Moreno, Santiago Barron, J. F. Pimentel, Bernardo Moreno, Ines Rubi, Ricardo Acosta, Pedro Pais, F. G. Ramonet, Ramon Rojas, Esteban Leon, Jesus Marinez, Juan Aragon, Cosme Villa Real, Gabriel Medina, Manuel Albiso, Antonio Soto, Ambrosio Biramantes, Manuel Castro, Juan Buro, Rafael Parra, Eduardo Carmona, Ricardo Carmona, Esculano Carmona, Francisco Armenta, Francisco Chamorna, Eduardo Echebarria, Luis Castro, Antonio Alvarado, Antonio Esquibel, Francisco Bailon, Juan José Soto, Diego Morales, Manuel Lucero, Pablo Hurtado, Santiago Gutierrez, Manuel Romero, Antonio Aguilar, Loreto Agundes, Luciano Rodrigues, Antonio Argüello, Mercedes Real, Antonio Molina, Blas Sanchez, Antonio Navarro, Matias Rodriguez, José Rodriguez, José Araisa, Carlos Moreno, Juan Marquez, Antonio Ayon, Ignacio Samudio, Manuel Castro, jr., Juan Diaz,

Vicente Mariano, Juan Lopez, Eulogio Moreno, Guillermo Moreno, Manue Moreno, Elias Araya, Pedro Lopez, José Maria Miranda, Ignacio Solano, José Arsega, José Martinez, Pedro Lopez, Mariano Leon, Gabriel Medina, Guillermo Martinez, Antonio Tortolera, Jesus Villa Real, José Maria Espinosa, Francisco Acosta, Bonifacio Ruelas, José Castro, Ciriaco Estrada, Jesus Arrieta.

No. 6.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION TO THE UNITED STATES OF AMERICA,
Washington, 18th of February, 1866.

MR. SECRETARY: I have the honor to inform you that the governors of the States of the Mexican republic have already begun to express their approbation, in the name of the States they represent, of the decree of the Mexican government, on the 8th of November, 1865, prolonging the constitutional term of the President of the republic, till the condition of the war will allow a new election. In this way the decree is receiving the popular sanction, in spite of the opposition of the enemies of the Mexican republic.

Reserving to myself the privilege of sending you hereafter, for the information of the government of the United States, all documents that I may hereafter receive in relation to that sanction, I now send you No. 3. of the official paper of the Mexican government, published at Paso del Norte, the 11th of January last, where you will find three communications from the governor and military commandant of the State of Coahuila, explicitly ratifying the dispositions of the decree referred to.

I profit by this occasion to renew to you, Mr. Secretary, the assurances of my most distinguished consideration.

M. ROMERO.

Hon. WILLIAM H. SEWARD, *&c.*

[Enclosure No. 1.—Translation.]

DEPARTMENT OF FOREIGN RELATIONS AND GOVERNMENT,
OFFICE OF THE GOVERNOR AND MILITARY COMMANDER
OF THE STATE OF COAHUILA DE ZARAGOZA.

As this government and command has received the supreme decree of the 8th of November last, prolonging the functions of the citizen President of the republic for the specified time, during the present state of the war, and those of the powers of the person who may be president of the court of justice, for the time necessary to the object of its prolongation, and sees that it is in conformity with the spirit of the constitution, and to the interests of the republic, agreeable to the national will, and particularly to this State, it therefore decrees that it be fulfilled, and for that purpose has published it this day to the authorities and forces under its command, and will endeavor to give it the greatest publicity in the State.

I have the honor to communicate this to you, for your information and that of the chief magistrate of the nation.

Independence and liberty! Rosas, December 8, 1865.

A. S. VIESCA.

EDUARDO MUZQUIZ, *Acting Secretary.*

The Citizen MINISTER *of Foreign Relations and Government, Chihuahua.*

[Enclosure No. 2.]

OFFICE OF THE GOVERNOR AND MILITARY COMMANDER OF THE STATE OF COAHUILA DE ZARAGOZA.

I have the honor to inform you, that you may bring it to the knowledge of the citizen President, that the decree of the 8th of November last has this day been ordered to be circulated in the State, in which decree the supreme government declares citizen Jesus Gonzales Ortega responsible for having voluntarily resigned the office of president of the court of justice, and gone to reside in a foreign land, without a license from the supreme government; and he is also declared resposible for the crime of abandoning the flag and cause of his country while a general in the army; and, in conformity with laws of Congress and his full powers, he has appointed a president of the supreme court, for the purposes above mentioned.

Independence and liberty! Rosas, December 8, 1865.

A. S. VIESCA.

EDUARDO MUZQUIZ, *Acting Secretary.*

The Citizen MINISTER *of Relations and Government, Chihuahua.*

[Enclosure No. 3.]

OFFICE OF THE GOVERNOR AND MILITARY COMMANDANT OF THE STATE OF COAHUILA DE ZARAGOZA.

I have the honor to inform you that the supreme circular of your department ordering the imprisonment of generals, chiefs and officers who come from abroad without a license from the supreme government to leave the country during the war, and those who have a permit to go through another country, and remain in it more than four months, unless they have been compelled to it by being carried off by the enemy, and return faithful to the cause of the republic, determined to continue their services to it, has this day been ordered to be promulgated in this State, for its due fulfilment.

Please make this known to the citizen President.

Independence and liberty! Rosas, December 8, 1865.

A. S. VIESCA.

EDUARDO MUZQUIZ, *Acting Secretary.*

The Citizen MINISTER *of Relations and Government, Chihuahua.*

No. 7.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION TO THE UNITED STATES OF AMERICA,
Washington, 2d of March, 1866.

MR. SECRETARY: I have the honor of transmitting to you, for the information of the government of the United States, a copy, for that purpose, of a letter I received to-day from Colonel Don Gregorio Mendez, governor and military commander of the State of Tabasco, in the Mexican republic, dated in the city of San Juan Bautista the 2d of February last, in which he acknowledges the receipt of the decrees issued by the government of Mexico on the 8th of November last, prolonging the functions of the constitutional President of the re-

public, states they were very well received in his State, and notifies me they will be solemnly published the next day. I also enclose to you, for the same purpose, the copy of a letter of the same date from the same Colonel Mendez to the constitutional President of Mexico, containing a similar manifestation.

I accept with pleasure this occasion to renew to you, Mr. Secretary, the assurances of my most distinguished consideration.

M, ROMERO.

Hon. WILLIAM H. SEWARD, &c.

[Enclosure No. 1.]

SAN JUAN BAUTISTA,
Tabasco, February 2, 1866.

MY MOST DISTINGUISHED FRIEND: I profit by the opportunity that presents to-day to answer three letters I have had the pleasure of receiving from you. * *

I received the third yesterday, containing an extract from an official paper of the publication of the supreme decrees prolonging the presidential term, and the trial of General Ortega. * * * * *

The decrees, which I have already seen, were very well received in this State, and I will order them to be solemnly published to-morrow. * *

Have the goodness to remember my request to be kept informed of everything of interest to our cause and to the President, to whom I enclose you a letter.

Your true friend,

G. MENDEZ.

The Minister DON MATIAS ROMERO, *Washington*.

A true copy:

IGNO. MARISCAL, *Secretary*.

WASHINGTON, *March* 2, 1866.

[Enclosure No. 2.]

SAN JUAN BAUTISTA, *February* 2, 1866.

MOST DISTINGUISHED AND RESPECTED SIR: I have before me your two very acceptable favors of the 27th of October and 9th of November last. * *
* * * * * * * *

Your determination in regard to General Diaz, who is now fighting in Oaxaca, shall be duly respected by me and my subalterns. That general is truly worthy of his former position by his effectiveness, his valor, his honesty, and his energy, particularly as his disappearance depended upon causes over which he had no control.

I shall take great pleasure in having the decrees sent me by Mr. Romero published to-morrow; they have my entire approval and that of the State. No person more worthy, or with greater hopes of the nation, could have been trusted with the supreme command, than yourself, and at a time when a change might have caused a want of confidence, to say the least. The trial of Mr. Ortega is an act that gives power to the government from its principle of morality, as it impresses upon our society and its great men the necessity of attending to their duties, and teaches them the great impropriety of derelictions, which they often commit, thinking to be shielded by the elevation of their positions.

I am pleased to inform you that this State and Chiapas are quiet, and have maintained their independence. The people are struggling bravely in Oaxaca, and it is very probable that the republican banner will wave from the walls of the capital in a short time. Figueroa, at the head of five hundred infantry and

one hundred cavalry, joined a section of Chiapas troops on the 6th of January, advanced to Juchitan, where he collected a total of 1,300 men and attacked Tehuantepec on the 17th. He carried the enemy's intrenchments, but had to fall back from two well-armed forts, where the traitors had concentrated, that opened upon him. His loss was very slight. By express order from General Diaz he then marched to Sierra.

* * * * * * * *

I conclude with an affectionate greeting, wishing you peace and prosperity, and subscribing myself your obedient servant, &c., &c.,

G. MENDEZ.

The President of the Republic,
DON BENITO JUAREZ, *Chihuahua.*

A true copy:

IGNO. MARISCAL, *Secretary.*

WASHINGTON, *March* 2, 1866.

No. 8.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION TO THE UNITED STATES OF AMERICA,
Washington, 10th of March, 1866.

MR. SECRETARY: I have the honor of transmitting to you, for the information of the government of the United States, the copy of a note of General Alejandro Garcia, second in command of the eastern line, to the minister of foreign affairs and government of the Mexican republic, containing the circular to the governors and military commanders of the States composing that line, showing his favorable opinion of the legality and expediency of the two decrees issued by the President on the 8th of November last, one prolonging the presidential term till a new popular election can take place, and the other ordering the trial of General Gonzales Ortega, for reasons mentioned in the decree.

In this circular General Garcia not only expresses his own opinion, but that of the governors and commanders on the eastern line, comprising the States of Vera Cruz, Puebla, Tlaxcala, Oaxaca, Tabasco, and Chiapas, and requested them to take the vote of their people on the subject of the decrees before mentioned.

The general says he has already received many acts of the majority of the people adhering unanimously to the President and completely approving his decrees, and he has no doubt but the same sentiment prevails among the rest of the people who have not called meetings and passed resolutions. He adds that the documents are very voluminous, and he will send them to the department as soon as they are published.

I avail myself of the occasion to renew to you, Mr. Secretary, the assurances of my most distinguished consideration.

M. ROMERO.

Hon. WILLIAM H. SEWARD, *&c.*

MEXICAN REPUBLIC.—HEADQUARTERS OF THE EASTERN LINE.—NUMBER 2.

CITIZEN MINISTER: On the 1st instant I addressed the following circular to the governors and military commanders of the States on the eastern line:

[Circular.]

A grave question has arisen in the country, and has even extended beyond it. Citizen Benito Juarez, as constitutional President of the republic, on the 8th of November last, prolonged his powers as such, as you will see from the decree printed in No. 29 of the official bulletin of these headquarters, of the present date, which I send to you.

It is assured that General Jesus Gonzales Ortega protested against that decree in the United States, as president of the supreme court of justice, which title is denied to him by citizen Juarez, for reasons you will see in the decree of the same date published in the official bulletin.

The exceptional condition in which the nation has been placed by this foreign war has prevented, and still prevents, the exercise of the chief act of sovereignty, namely, the voting of the free Mexican citizens for the choice of a supreme constitutional magistrate to direct its destinies; and although these headquarters have formed their opinion in the case in favor of the existing order, because it admits the rights of citizen Benito Juarez to hold his position by former election, which has always been the regulating rule for authorities in our general legislation, yet we desire to know the general opinion of the eastern line in a matter of so much importance, and direct you to find out the sentiments of all the Mexicans in your district upon the subject in the most convenient manner, and let us know if they agree in opinion with these headquarters, for my information and consequent action.

I have the honor to transmit you this for the information of the supreme government, expressing the opinion that, judging from the unanimous vote of a great portion of the people that have sent their acts to these headquarters, and by the knowledge I have of the line under my command, I can assure you the people's will is that citizen Benito Juarez, now President; shall retain the supreme magistracy of the republic till the present war permits a constitutional election of a proper person to succeed him in office.

The letters already received on that subject are too voluminous to be sent with this despatch. For that reason, and because I expect many others which I intend to have printed, I do not send them now, as I desire; but I will send them by the first opportunity, after they are printed, for the information of the supreme government. I will also send them to the citizen minister plenipotentiary of the republic in Washington for his most convenient disposition.

Independence and liberty! Tlacotalpam, February 14, 1866.

ALEJANDRO GARCIA.

The MINISTER *of Foreign Relations and Government,*
Paso del Norte, (or wherever he may be.)

A true copy:

IGNACIO MARISCAL, *Secretary.*

WASHINGTON, *March* 10, 1866.

No. 9.

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,
Washington, March 12, 1866.

SIR: I have the honor to acknowledge the receipt of your notes, dated, respectively, December 8, 1865, February 5, 8, and 18, and March 2 and 10, 1866,

and their several accompaniments, relative to the extension of the presidential term of office of President Benito Juarez, which you have been pleased to communicate for the information of the government of the United States.

Thanking you for your considerate attentions, I avail myself of this opportunity to repeat to you, sir, the assurances of my highest consideration.

WILLIAM H. SEWARD.

Señor MATIAS ROMERO, *&c.*
Washington, D. C.

No. 10.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION TO THE UNITED STATES,
Washington, 16th of March, 1866.

MR. SECRETARY: I have the honor to transmit to you, for the information of the government of the United States, the copy of a letter I received to-day from General Garcia, second in command of the eastern line of the Mexican republic, dated in Tlacotalpam, the 26th of February last, with an enclosed printed copy of some manifests passed by the towns within the limits of the said line, approving the prolongation of the term of the President of the republic. I enclose you the printed copy of said manifests, and the copy of a letter from General Garcia to the President of Mexico, of the same date and on the same subject.

I avail myself of the occasion to renew to you, Mr. Secretary, the assurances of my most distinguished consideration.

M. ROMERO.

Hon. WILLIAM H. SEWARD, *&c.*

[Enclosure No. 1.]

TLACOTALPAM, *February* 26, 1866.

MUCH ESTEEMED FRIEND: I have received your very welcome duplicate letter of the 12th of December last, containing one from President Juarez and documents, to be published here in relation to our affairs.

Our situation is about the same as it was when I wrote you last; we still suffer for want of arms and war materials. I enclose you the printed manifests of my towns, approving of Señor Juarez's continuance in power as President.

Your devoted friend,

ALEJANDRO GARCIA.

Señor Don MATIAS ROMERO, *Washington.*

A true copy:

IGNO. MARISCAL.

WASHINGTON, *March* 16, 1866.

[Enclosure No. 2.]

TLACOTALPAM, *February* 26, 1866.

VERY DEAR SIR AND MUCH RESPECTED FRIEND: I yesterday received through Mr. Romero your welcome letter of the 10th of November last, relative to your decree prolonging the period of your functions as President of the republic, and

appointment of General Diaz as general-in-chief in command of the eastern line, and my appointment as second in command.

I informed you, in my letter of the 14th instant, that on the 1st, before I received your official decree, and other documents prolonging your term, I had sent out a circular to all the authorities within the lines, to ascertain the will of the people.

I have received assurances from every quarter acknowledging your right to continue in the presidency of the republic, till another constitutional election can be held.

I am now receiving the manifestoes and am publishing them in the official bulletin, of which I send you copies. I also send some to Mr. Romero, for any good use he may make of them in the United States, and I will continue to do so by every opportunity. When complete, I will despatch them to the department of government, for due consideration.

I repeat what I said to you in my last; that is, though I cannot send you the acts now, you may rest assured that all the eastern line will vote in the same way.

Nothing new has occurred since my letter of the 14th.

I think General Diaz is in Tlajiaco, though I am not sure of it, for, in spite of all my efforts, I have not been able to communicate with him.

In the hope that you will continue to favor me with your welcome letters, I remain your friend and servant,

ALEJANDRO GARCIA.

Señor Don BENITO JUAREZ,
President of the Mexican Republic.

A true copy:

IGNO. MARISCAL, *Secretary.*

WASHINGTON, *March* 16, 1866.

[Enclosure No. 3.]

MEXICAN REPUBLIC—EASTERN LINE.

Manifestoes of towns mentioned, declaring their will on the question of the presidency of the republic.

[CIRCULAR.]

MEXICAN REPUBLIC.—HEADQUARTERS OF THE EASTERN LINE.

A serious question has arisen in the country and spread abroad.

On the 8th of November last, as you will see in the official bulletin No. 29, of these headquarters, which I send you, citizen Benito Juarez prolonged his office as constitutional President of the republic.

We are informed from other sources that citizen General Jesus Gonzales Ortega, while in the United States, protested against the decree, as president of the supreme court of justice, which citizen Juarez denied him, for reasons you will see in another decree of the 8th of November, also printed in the bulletin.

The peculiar circumstances of the nation, caused by the present foreign war, have prevented, and continue to prevent, the exercise of its principal act of sovereignty—the election of a chief magistrate—by the free votes of Mexican citizens, according to the constitution; and although we have formed an opinion on the subject in favor of the decree, believing that citizen Benito Juarez has by law and usage the right to continue as President of the republic, yet we wish to have the general opinion in the eastern line on a subject of so much

importance. We therefore instruct you to take the votes of all Mexicans within your jurisdiction, in the manner you may think most proper, and report to me if it accords with our opinion or not, for my information and subsequent action.

Independence and liberty! Tlacotalpam, February 1, 1866.

ALEJANDRO GARCIA.

The Citizen GOVERNOR AND MILITARY COMMANDER *of the State of* ———.

A true copy:

J. A. RUIZ, *Secretary.*

TLACOTALPAM, *February* 3, 1866.

[Enclosure No. 4.]

Manifesto of the city of Tlacotalpam.

I, Marcos Maria Castellanos, national notary public and secretary of the honorable council of this city, certify and attest, that, between pages 115 and 117 of the council register is recorded an act, the tenor of which is as follows:

"In the city of Tlacotalpam, on the 11th of February, 1866, the heroic council convened in public extraordinary session, with presence of the justices of the peace, and citizen Miguel Arechavaleta, president of the council, who called the meeting to order and stated its object, namely, to publish a communication received from the military commander of the canton, containing a note of the 1st instant from the citizen general-in-chief of the eastern line, relative to the great question of prolonging the presidential term, by a decree issued at El Paso del Norte on the 8th of November last, sent to this district in order to get the opinion of its citizens on that subject, which he now submits to the consideration of the council."

Having read the communication and decrees referred to, the following resolutions were unanimously adopted:

First. By virtue of the full powers vested in the executive of the republic by the national Congress, on the 11th of December, 1861, and subsequently confirmed by the same sovereign Congress, citizen Benito Juarez, President of the republic, has by right prolonged his functions in accordance with the constitution, till the condition of the present war will permit the election of another President according to the fundamental code.

Second. The representatives of this city, the justices of the peace, and other subscribing citizens, acknowledge citizen Benito Juarez as President of the republic and the legitimate representative of national sovereignty, and consequently grant him a just and deserved vote of thanks for the abnegation he has once more shown in saving the country from internal contentions.

With this the act ended, and was signed on the same day, month, and year.

Miguel Arechavaleta, alderman and president of the council; Juan Cházaro Soler, 2d councilman; Cayetano Rodriguez, 3d councilman; Juan R. Lara, 4th councilman; Nicolas Aguirre, 5th councilman; R. Roca, 6th councilman; Mauricio Scheleski y Aguirre, 7th councilman; M. Murillo, syndic; Miguel Porragas, 1st justice; Antonio Ma. Carillo, 2d justice; Ruperto Carlin, 3d justice; J. J. Hernandez, receiver of city dues; Francisco Medina, Nazario Molina, José G. Sosa, F. Carvallo; for myself and father, R. Carlin y Rosas, Feliciano Carlin, Francisco Carlin, Santiago T. Chazaro, Matias Malpica Teran, José A. Bravo, Joaquin Alegra, Mariano Reyes, Diego de la Peña, Mariano Colina, Juan J. Enriquez, Leon Malpica. Juan Malpica, M. R. Canales, Julian Aguilera, Nemesio Teran, Tomas Limon, Francisco Valenzuela, José G. Lagos, Angel G. Lagos, José Ma. Caberta, Martin Lagos, Diario Chazaro, Leocadio Camacho, Clemente Reyes, Lino Vila, José Silva, Juan A. Jimenez, Pascual

Acosta, Florentino Silva, Manuel Beltran, Francisco Troncoso, Nicolas Luchichi, Luis Perragas, Julio Castro, Alvino C. Ortegat, Ignacio Crespo, Manuel Diaz, Pedro Malpica, Joaquin Novoa, Valentine Navarrete, Pedro J. Malpica, Ireneo Alacio, Miguel A. Carrasco, José Ma. Lopez, Sebastian A. Campos, Miguel M. Gallazo, Gabriel Sanchez; Marcos M. Castellanos, secretary.

And by order of the honorable council I deliver the present, signed and sealed, in the said city of Tlacotalpam, on the 13th day of February, 1866.

MARCOS MA. CASTELLANOS.

[Enclosure No. 5.]

Manifesto of Acayucan.

MILITARY COMMANDANT OF ACAYUCAN AND MINATITLAN.

On the 6th of February, 1866, all the military and civil officials of the canton assembled in the military hall of the town of Acayucan, with many private individuals, and the circular and accompanying documents of the 1st instant, published in No. 29 of the bulletin, having been read, a few speeches were made praising citizen Juarez for his abnegation, valor and constancy, and the vote being taken, the vote to sustain the opinion at headquarters was unanimous to support citizen Benito Juarez, who has so bravely sustained the cause of independence and the dignity of Mexico. Therefore, believing that the opinion of the whole southern coast is the same as that of this assembly, we say freely and explicitly it is our desire that citizen licentiate Benito Juarez remain in charge of the presidency of the Mexican republic as long as the circumstances of the war demand it. And this act is closed with the signatures of the attendants.

T. Montiel, Salvador Romay, José M. Salomon, Valentin Mosioru, Manuel Franyuti, M. Modesto Jimenez, José C. Martinez, J. Manuel Pereira, M. A. Vidaña, L. J. Rosete, T. Beltran de Arias, Ventura M. Rojano, Anastasio Jimenez, Rafael Giütian, Jesus G. Vivanco, José M. Reyes, Eugenio Yañes, Mariano Torres, Manuel Garcia, Rafael Rincon, Jacinto Fonseca, Pedro Flores, J. Auli. For the picket of the 1st light company, Antonio Cespedes; 1st sergeant of cavalry, L. G. Montenegro; 1st sergeant artillery, Benito Garcia; for the corporal corps, Estanislao Palomo; for corps of 2d sergeants, Paulino Cansino; for the artillery corps, Ladislao Herera; for the corporals, José Francisco; for the cavalry, José Nicolas; for the 2d sergeants, Antonio Garcia; for the dragoons, Cirilo Bustamente, Joaquin Aguirre, Timoteo Aguirre.

[Enclosure No. 6.]

Manifesto of Minatitlan.

In the town of Minatitlan, on the 7th of February, 1866, the chiefs, officers, and troops of the Goatzacoalcos assembled in the barracks, and the chief of the cantons having read the circular of the 6th of February, published by the citizen general of the eastern line, the assembly unanimously declared as fellows:

We recognize the decree of the 8th of November, 1865, issued by citizen Benito Juarez, as President of the Mexican republic, and whom we acknowledge as such till the nation can elect a substitute, and promise to defend the national honor and dignity of which he is the worthy representative. With this the present act closes, being signed by one person for each class in the garrison.

Major J. A. Rodriguez, Lieutenant C. Garcia, Captain Indalecio M. Mendoza, Miguel Berdigo, Lieutenants Pedro Martinez, Francisco Lara, 2d Lieutenant Ignacio Beltran. For the sergeants, T. Fonseca; for the corporals, Antonio Aleman; for the soldiers, Francisco Desa.

In the town of Minatitlan, on the 7th of February, 1866, the council and citizens undersigned assembled under the presidence of Juan N. Sevila, justice of the peace and accidental military commander, who having read the circular of the 1st of February, issued by the general-in-chief of the Oriental line, the assembly passed the following resolution:

We acknowledge the validity of the decree of the 8th of November, 1865, issued by citizen Benito Juarez, as President of the Mexican republic, in which capacity we continue to recognize him. Thus closes this present act signed by the attendants at this meeting.

Nicolas A. Lopez, Juan N. Sevilla, Andres Jimenez, Pedro Perez, Antonia Neira, C. Garcia, Francisco de P. Serrano, Manuel Basurto, Dario Vidaña, Ildefonso Palma, Juan Brambilla, Mucio Garcia, Antonio Neira, Benigno Saens, Simon Pargas, Santiago Hernandes, Luis G. Vidaña, Estanislao Prieto, Miguel Lara, M. Sanchez, Celso Arenas, Hipolito de Arenas, I. Vidaña, Lorenzo Rodriguez, Catarino Rueda, José M. Loyos, A. Romero, José M. Silva, Miguel Mariscal, Juan N. Saens, Agustin Cardenas, Pantaleon Vidal, José N. Hernandez, Manuel Hilario, Carmen Hernandez, José Nemesio Alegria, P. Barreda, Donaciana Ortiz, Estanislao Vega, Severo Chacon, Pedro Martinez, P. Z. Rosaldo, J. A. Rodriguez, Domingo Bargas, Estanislao Vega, Genaro Zalazar.

[Enclosure No. 7.]

On the 7th of February, 1866, in the town of San Juan Bautista de Oluta the undersigned authorities and citizens assembled in the military commandancy by invitation of the citizen commandant, who read the circular asking the opinion of the municipality on the presidential question, whether the citizen licentiate Benito Juarez shall continue in the supreme command of the republic till the circumstances of the war allow a new election. The contents of the said circular having been considered, the meeting passed the following resolutions with unanimity:

ARTICLE 1. We, the undersigned, authorities and citizens of this town, recognize the citizen licentiate Benito Juarez as the supreme chief of the nation as long as the present war lasts and prevents a new election.

ARTICLE 2. The present act shall be made out in duplicate, one copy to be sent to the citizen military commander of the canton, and the other recorded in the archives of this commandancy for future reference.

Thus the act was completed by the signatures of the attendants at this meeting.

OLUTA, *February* 7, 1866.

By the military commander.

LUIS GALLEGO, *Secretary.*

Teodoro Valdez; Juan Martinez, for myself and second councilman, José Margarito; Juan Antonio Alafita, J. Gonzales, Donaciano Valdez, Manuel M. Valdez, José T. Valdez, Luciano Martinez, Pedro Perez; Alvino Perez, for Felipe Santiago; José Tranquilino Ortiz, José Santos, Pedro Santiago; Juan Soto Perez, for Simon Francisco; José Isidoro Perez, for Agustin Morales; José Eligio, José Ponsiano, L. Martinez, José Santiago, Tomas Aquino, Martin Alvarado, Juan Prudencio, Juan Ynocente, Felipe Perfecto, and Juan José Esbinosa, José M. Benito, José M. Martinez; Santiago Delgado, for José de la Cruz Blanco; Gabriel Ortiz, José Canuto Aguirre, Joaquin Ramirez; Manuel Gonzales, for Manuel Santander; Luis Gallegos, Rafael Gonzales, José D. Arrioja, Miguel Castillo, Manuel Cortez; José Savino, for Juan Fonseca; Juan Martinez, Benito Cubillos, Juan Blanco, Guillermo Limon, Juan Ledesma, Ventura Ledesma and Roque Limon; Valentin Ortiz, for Alejo Silvaran; Canuto

Aguirre, for my father, Juan Arcadio Flores; Margárito Flores, for José Gregorio and Juan Noverto; Manuel Gonzalez, for Manuel Santander, José B. Santander, and Manuel Teodoro; José Fernando Palma, for Tomas Perez, Pedro Martinez, Antonio Fabian, and José Ledesma; José D. Bruno; Manuel Gonzalez, for José Melchor, José Francisco, Julian Serapio, and Miguel Perez; José D. Bruno, for Juan Nepomuceno, and José Nepomuceno; Manuel Gonzalez, for Manuel Enrique, Joaquin Elijio, José Leon Santos, Longino Candido, José Augustin, and Manuel de Dios; Juan Martin, for Manuel Vidaña and Bartolo Gallego; Manuel Gonzalez.

[Enclosure No. 8.]

On the 8th of February, 1866, in the town of Oteapa, the military commander, the city authorities, justice of the peace, and citizens generally, assembled in the town hall to consider a circular issued from headquarters, and requesting the vote of the people on the presidential question, the following resolution was unanimously adopted: That it is the wish of this people to keep citizen Juarez in the presidency as long as the war continues, and that he be elected for another term after its close.

The present manifesto closes with the signatures of those in attendance at the meeting.

The military commander, José Francisco Perez, Juan Morales, secretary; Pablo C. Perez, Tomas Bartolo; for citizens Lino Lopez, Silvestre Hernandez, Prisciliano Ramos, Francisco Bartolo, Francisco Jimenez, who cannot write, by me, Gabriel Hernandez; for citizens Tomas Gomez, José Luria, Manuel Perez, Domingo Bautista, Miguel Martin, not knowing how to write, sign by me, Manuel Gomez; Julian Reyes, for citizens José Cesario, Baltazar Lopez, Juan Asencion, and José Perez; Manuel Dominguez, for citizens Manuel Ascension, Tomas Gomez, Anastasio Ramirez, and Cayetano Luria; Manuel Martinez, for José Antonio, Mateo de la Cruz, Martin and Seferino Garcia, who cannot write; Gabriel Hernandez, for citizens Francisco Guillermo, Pedro Dominguez, José Antonio, and José Hernandez; Manuel Martin, for Pablo Francisco, Pedro Joaquin, Manuel Desiderio, and Manuel de la Cruz; Pascual Bartolo, Baltazar Lopez, Andres Lopez, Manuel Asencion, José Vincente, Tomas Bartolo, Pedro Gomez, Joaquin Fernandez.

[Enclosure No. 9.]

The citizen military commander and other officials of this place, together with the principal inhabitants, met in San Francisco Jaltipam, canton of Minatitlan, in the free and sovereign State of Vera Cruz, to consider the decree of the 8th of November, issued by the President of the republic, and the circular of the citizen colonel-in-chief of these cantons, promulgated on the 7th instant, for the purpose of determining the will of the people under his jurisdiction, in reference to the presidential question. The attendants at this meeting, under the presidency of the local authority, unanimously declare *that they desire the citizen licentiate Benito Juarez to continue as President of the Mexican republic as long as necessary; and they are also in favor of prolonging the powers of the person who is president of the supreme court of justice.* And they make this present manifesto, which they sign with me, to be sent to the citizen colonel-in-chief of the cantons for the information of the supreme authority.

JALTIPAM, *February* 8, 1866.

E. Vela, Manuel Camino, Salvador M. Romero, José M. Pique, Juan N. Pereira, Miguel Telles, José Simon Martinez, José S. Alvarado, C. Aguirre,

José M. Vasconcelos, Lucas M. Telles, F. Romay, Antonio Sylva, José M. Salinas, Francisco Venero, Antonio Espinosa, Adrian Martinez, Rufino Jara, Manuel S. Alor, Juan Silva, Lino Francisco, Augustin Montiel, Manuel Jara, José M. Valladores, Tomas Martin, Pedro Montiel, Manuel Salomon, Julian Hernandez, Francisco Absalon, Manuel T. Martinez, Luis Perez, José Gomez, Lorenzo Alor, José M. Hernandez, Rufino Sandoval, Navor Alejo Casimirit secretary.

[Enclosure No. 10.]

In the town of San Juan Evangelista, of the canton of Acayucam, in the free and sovereign State of Vera Cruz Llave, on the 8th of February, 1866, by invitation of citizen Francisco Garcia, justice of the peace, and temporary military commander of this municipality, the honorable council and other authorities, together with the most respectable citizens undersigned, assembled, and the circular of the citizen military commander of the canton relating to the decree of the 8th of November last having been read, it was asked if we were willing that citizen licentiate Benito Juarez should remain in office as President, till the circumstances of the war should allow a new election. And all having expressed their spontaneous will, unanimously, that citizen Benito Juarez should continue to rule the nation as President, the present manifesto was drawn up and signed by all persons present, and the meeting adjourned; the document being signed in presence of my adjutant who certifies it.

Francisco Garcia, D. Diaz y Lagos; Captain G. Soto, president; M. Malpica, syndic; A. Carreon y Carballo, receiver; Tomas Malpica, second alderman; M. M. Chazaro, Miguel Garcia Naranjo, Ignacio Malpica, Rafael Pavon, José R. Cadenas, Francisco Montiel, Jacinto Torres, Margarito Malpica, J. José Miguel Ferrando, Jacinto Torres, Vicente Ceballos, Mateo Carreon, J. Bravo y Perea, Ricardo Ceballos, Lorenzo Moreno, Celestino Famayo.

Before me:

C. GUILLEN, *Adjutant.*

[Enclosure No. 11.]

In the town of San Pedro Zoteapam, on the 7th of February, 1866, the patriotic municipality, justice of the peace, officials and private individuals signing this manifesto, met at the residence of the military commander; and that officer presiding, the canton commander's circular was read, requesting the vote of the people on the presidential question. All present agreed upon the following, without the least dissent:

The people of San Pedro Zoteapam, with their officers, declare that they acknowledge citizen licentiate Benito Juarez as legitimate President, and will sustain him in the liberal institutions that now govern the country.

Act concluded and signed by every one present at the meeting.

Justice Andres Ramirez, Secretary T. Aguirre y Martinez, Commander Lucas Juarez, for the president and council, the same; for all the regidores the same; Donaciano Buenaventura Mena, Ramon Cuamaño, Juan Pablo, Joaquin Talavera, C. A. Ortiz, Miguel Cervantes, Domingo Rodriguez, Juan C. Cruz, Domingo Gutierrez, Pascual Ramirez, Martin Mateo, Domingo Buenaventura Mena; Juan Pablo, for citizens Bartolo Francisco and José Francisco, who cannot write; F. Aguirre Martinez, secretary.

[Enclosure No. 12.]

In the town of Santiago Mecayapam, on the 8th of February, 1866, the patriotic municipality, justice of the peace, officers and private individuals who sign this act, assembled in the town hall, elected the military commander to preside over the meeting, and read the circular in regard to the presidency. The following resolution was thereupon unanimously adopted:

The people of Santiago Mecayapam, and their authorities, declare that they recognize the well-deserving citizen licenciate Benito Juarez as the legitimate President of the Mexican republic, and will support him in the liberal institutions with which he now rules the country. And so this act ends with the signatures of all present.

Feliciano Gonzalez; for myself and the citizen justice Seferino Luri Florentino, H. Z. Julican Gonzales, regidor; J. L. Castillo, Juan de la Cruz, Felix Bautista, Francisco Javier Gonzalez, José Abad Mendoza, Ventura Gonzalez, Francisco H. Z. Martin Luis, Juan de la Cruz; Mamerto Diaz, secretary.

[Enclosure No. 13.]

In the town of San Andres Sayultepec, canton of Acayucan, on the 9th of February, 1866, the military commander, the municipality, local judge, and notable citizens assembled together for the purpose of considering the presidential question. The supreme decree of the 8th November last, printed in the official bulletin of the 1st instant, declaring citizen licentiate Benito Juaraz is still President of the Mexican republic, having been read, together with the circular of the chief military commander requesting the votes of this section, we unanimously declared that we assent to the decree, and promise to sustain it, at the sacrifice of life and fortune, if necessary, till the circumstances of the present war permit another election.

Thereupon this manifest was made out and signed as evidence of the fact to be preserved.

José Pantaleon; M. M. Jimenez, regidor president; Marcelino Perez, 2d regidor; José Manuel, syndic; for myself and citizen Simon Vidal, local judge, José Leocadio Reguero, secretary; Roman Dodero, commander of Los Almagres; for myself and the military commander of Los Quemados, Andres Rodrigues; for citizen Salome Flores, military commander of the congregation of Agua Fria, José Leocadio Reguero, secretary; Ramon J. Sandoval, Diego Feligrano, Crescencio Ruis, Francisco Reguero, Pablo Garcia, J. Luis Lora, Angel Remigio, Cipriano Ortiz, José Paulino, José Leonardo, José Ildefonzo, Juan Antonio, José Dario, Pedro Panucero, Lorenzo Martin, José de Jesus, Julian Martin, Juan Pablo, Estevan Teodoro, José M. Martin, Ignacio Ambrosio, José Laureano, José Estanislao, Juan Leonardo, Miguel de los Santos, José Crescencio, Martin de los Reyes, J. Dolores, Mateo Osorio, Juan Crisostomo, José Bernabi, José Maria Venancio, J. Anastacio, Juan Iglesias.

[Enclosure No. 14.]

In the town of San Miguel de Tesispec, on the 8th of February, 1866, the military commander, justice of the peace, the council and chief citizens of the place assembled in the town hall, and the circular note of the military commander of the cantons of Acayucan and Minatitlan, of the 6th instant, having been read, requesting the adoption of the decree of the 8th of November last in regard to the presidency, we unanimously declare that we desire citizen Benito Juarez to continue President of the republic, under the auspices of the constitution of

1857, as he has bravely defended the rights of the nation, till the circumstances of the war may allow a new election; and thus the present act closes.

Pascual Macario, military commander; for the justice Idlefonso Marroquin, José Barragan, president of the council; for citizen Juan Antonio, 2d regidor, Pascual Antonio; V. Paulino, José Anselmo Reyes, Miguel Geronimo; for Felix del Rosario Paulino, Marcelino Garcia; Juan Martinez, Pascual Antonio, Francisco del Rosario, M. Echevarria, Julian de los Reyes, Patricio Mellado, Alejandro Aurelio, Caetano Blanco, Manuel Osoris, José Mariano Rodriguez, José Tranquilino.

[Enclosure No. 15]

In the town of Cosolecaque, on the 8th of February, 1866, the local commander, patriotic council, justice of the peace, and many citizens, assembled in the town hall to consider the presidential question, by order of a circular from headquarters of the eastern line, resolve as follows:

That it is our unanimous wish for citizen licentiate Benito Juarez to continue in office as President of this republic, till the circumstances of the war allow a new election; moreover, that he continue in office for another term, so as to regulate the affairs of the nation completely. They desire duplicates of this act, one for the book of record, and one to be sent immediately to the citizen commander of the cantons for his information.

Sebastian Rodriguez; Silvestre Santiago, president; for citizens Miguel Antonio Torres, 2d regidor, José Francisco Jimenez, 3d regidor, Manuel Montalvo, 4th regidor, (who cannot write,) and for myself, Antonio Martin, secretary; José de la Cruz; Martin Hernandez, syndic; Ramon Vasconcelos, Francisco Oliva, Pedro Luna, Cristobal Mateo, José Santos Torres, Martin Pascual, Antonio de la Cruz, Eusebio M. Reyes, Pascual Alejandro, Carlos Jimenez, Diego M. Cruz, Vitoriana Montalvo, Arcadis Alor, Geronimo A. Martin, Juan José Martin, Tranquilino Reyes, Felipe Santos, Matias Maron, José Lorenzo Gonzales, Pedro Pablo Flores, Pedro Martin Rodriguez.

[Enclosure No. 16.]

In the town of Izhuatlan, on the 9th of February, 1866, the honorable council and other citizens assembled in the town hall, according to the circular of the 7th instant, and the meeting being presided over by me, the military commander and justice of the peace, I read to them articles 78, 79, 80, and 82 of the federal constitution, which puts an end to the presidency of citizen licentiate Benito Juarez; and having informed them of the desire from heaquarters to know if they voted for C. Benito Juarez to continue in supreme command, they all answered unanimously; that, trusting to his honesty and firmness in defence of the national cause, C. Benito Juarez seemed worthy and deserving of the high place he now fills, and wish him to continue in it; and we promise to aid him as we have always done, and wish him success in the glorious cause upon which our well-being depends; and we therefore sign the present.

Felipe de la Cruz, justice of the peace; Manuel Isidro, Juan Fuentes, Pascual A. Hernandez; Miguel Saul, secretario; Salomon Luis, Felipe Santiago, Juan Lares, José Paulino Pereira, Pedro Bartolo, Manuel Santiago, Juan Morales, Tiburcio Santiago, Cristobal de la Cruz, Pedro Martinez, Lazaro Luis, Nicholas Morales, Leonardo Garcia, Andres Santos, José N. Luis, Bartolo Morales, José L. Morales, José Francisco Morales, Gabriel Santiago, Francisco de la Cruz.

[Enclosure No. 17.]

In the town of San Isidro de Zaragoza, on the 10th of February, 1866, all the authorities and citizens of this place assembled in the town hall, and the circular of the 6th instant from the military commander of these cantons, wishing to know if the people here desired that citizen licenciado Benito Juarez to continue in the presidency, having been read, all present pronounced him President again by acclamation, shouting: Viva el C. Licenciado Benito Juarez, Presidente de la republica Mexicana!!! Viva el Presidente leal de nuestra republica!! y con ella sus muy fieles servidores. And thus the act concluded and was signed by all present.

Commandant Francisco Carlos, in the name of the citizens and for myself, Pablo Perez, secretary; for the citizens of the illustrious municipality, justice of the peace, and citizens who cannot sign their names, and for myself, Nicholas Martin, secretary.

[Enclosure No. 18.]

In the town of Soconusco, on the 10th of February, 1866, the municipality, justice of the peace, military commander, and citizens of the place having assembled in the town hall, the circular from headquarters on the presidential question having been read by the military commander of the canton, presiding, a few speeches from citizens eulogized citizen Juarez for his civic virtues, and his firmness and constancy in upholding the dignity and independence of Mexico; and all present voted that citizen Benito Juarez continue in command of of the nation as President of the republic till the circumstances of the war allow a new election. And thus the present act closed, with the signatures of all present.

Hilario Rodriguez; Manuel Ramon, José Manuel Rodriguez; for the municipality and myself, Juan Vicente Alvino, syndic; Epitacio Rodriguez Arriola, Pedro Ficache, Leonardo Rodriguez, Manuel Rodriguez Arriola, Joaquin Garduza, Pedro A. Mena, Fermin Rodriguez Arriola, Bonifacio Garduza, E. Goillard, Cipriano Ficachi, Rafael Ficachi, Francisco del Rosario, José Ponciano, José M. Baruch y Perez, Celso Rodriguez, Antonio Martin.

[Enclosure No. 19.]

In the town of Hidalgotitlan, on the 11th of February, 1866, before me, the military commander, appeared the honorable council, justice of the peace, and other citizens, and having read the decree issued by our worthy and well-deserving President, citizen Benito Juarez, at El Paso del Norte, on the 8th of November last, prolonging the presidential period till the circumstances of the war allow a new election, all answered unanimously that they wish the President to continue in power, as he has decreed by ample faculties vested in him; and the present act closed, being signed for me and the honorable council by my secretary, Manuel Candiani, C. Garcia Cruz, Julian Cruz; for citizens Manuel Martin, Miguel Cruz, Manuel Mauricio, Lorenzo Gonzales, and Francisco Nepomuceno, by J. Cruz, Juan Hernandez, Firmin Gonzales; for the rest of the citizens present, Garcia.

[Enclosure No. 20.]

In the town of Minzapan, on the 11th of February, 1866, the local commander, justice of the peace, and other civil authorities and citizens of the place, having assembled in the town hall, the circular from the headquarters of the eastern line was read, desiring to know if the people are willing that citizen Benito Juarez should continue as President of the republic. All voted unanimously that the well-deserving citizen Benito Juarez continue in office as President as long as the present war lasts, or till a new election can take place. And so this act concluded, with directions to have a copy sent to headquarters.

Juan G. Hernandez, military commander; Geronimo Martin, justice of the peace; José Augustin, first regidor; José Patricio, second regidor; Juan de la Cruz, syndic; Doroteo Martin, Manuel Patraca, Tomas Hernandez, Marcos Fernandez, Clemente Rueda, Francisco Ramos, Simon Martin, Francisco Maron, Andres Antonio, José M. Salas, José Andres Julian Martin, Juan Francisco Ramos, Juan Fernandez, Juan Francisco.

No. 15.

SEAT OF THE MEXICAN GOVERNMENT.

List of papers.

No. 1.	Mr. Romero to Mr. Seward, (with three enclosures)	Dec.	28, 1864.
No. 2.	Mr. Seward to Mr. Romero	Jan.	30, 1865.
No. 3.	Mr. Romero to Mr. Seward, (with three enclosures)	Sept.	19, 1865.
No. 4.	Mr. Romero to Mr. Seward, (with seven enclosures)	Nov.	30, 1865.
No. 5.	Mr. Romero to Mr. Seward, (with four enclosures)	Dec.	29, 1865.
No. 6.	Mr. Romero to Mr. Hunter, (with three enclosures)	Jan.	21, 1866.
No. 7.	Mr. Seward to Mr. Romero	Mar.	14, 1866.

No. 1.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION TO THE UNITED STATES OF AMERICA,
Washington, 28th of December, 1864.

MR. SECRETARY: I have the honor to remit to you, for the information of the government of the United States, copies of three circulars which I have just received from the Mexican government, in which the motives are communicated which decided it to abandon the city of Monterey and install itself in Chihuahua, capital of the State of the same name.

In those papers you will see how enthusiastic, general and spontaneous have been the popular demonstrations offered to the national government of Mexico in the States which it has passed through, and what are the intentions of the same government as to the war which the Emperor of the French and his agents are making on my country.

I avail of this opportunity to renew to you, Mr. Secretary, the assurances of my most distinguished consideration.

M. ROMERO.

Hon. WILLIAM H. SEWARD, &c.

[Enclosure No 1.—Translation.]

[Circular.]

DEPARTMENT OF FOREIGN RELATIONS AND OF GOVERNMENT.

The citizen President of the republic has considered it proper for the defence of the national cause to move from this city the residence of the government, and I will in due season communicate to you in what place he may determine to fix it.

The misfortunes of the nation and the vicissitudes of war will not under any circumstances induce the citizen President, as chief magistrate of the republic, to omit to comply with the duties which the vote of the Mexican people imposed upon him.

With the efficient co-operation of the States, and with the patriotism of which they have constantly given and are giving proofs on all sides, good citizens will support the President by always sustaining the war, in which there can be no doubt of the ultimate triumph of the people who defend the republic and its democratic institutions against the empire which it is attempted to establish, whose existence and whose acts do not count upon the will and approval of the majority of Mexicans, but solely on the ephemeral support of a foreign invader.

Independence, liberty, and reform! Monterey, August 15, 1864.

LERDO DE TEJADA.

True copy:

F. D. MACIN,
Second Secretary of Legation.

[Enclosure No. 2.—Translation.]

[Circular.]

DEPARTMENT OF FOREIGN RELATIONS AND OF GOVERNMENT.

On the 15th of August last the President left Monterey, as I communicated to you in a circular of that date, stating to you that I would give you opportune notice of the place at which he should consider it most proper to establish the residence of the government for following up the war in defence of the national cause.

Taking the direction towards this State from Durango, the President remained some days in each of the cities of Viezca and Massimé, while various arrangements were ordered to unite the forces of which the first corps of the army of the west was to be composed, which has been organized with the division composed of the forces of Durango and Chihuahua and other forces which the government brought there. This army corps, placed under the orders of General Jesus Gonzales Ortega as general-in-chief, and of General José Maria Patoni as second in command, has advanced to set on foot operations against the cities of Durango and Zacatecas, and has already interposed itself between the forces of the enemy by occupying various points on the road between the two cities.

Having reached this city on the 17th instant, the President permitted that I should communicate it to you, as I will take care to advise you of the place to which he may definitively determine to proceed.

Meantime it is not necessary to repeat or to impress on you that wherever the President may be, he will omit nothing that may be possible for carrying on the war with constancy and with confidence; that now, as in other times, the Mexican

people will also triumph over their enemies in defence of their independence and of their republican institutions.

Independence and liberty! Nazas, September 21, 1864.

LERDO DE TEJADA.

A copy:

F. D. MACIN,
Second Secretary of Legation.

[Enclosure No. 3.—Translation.]

[Circular.]

DEPARTMENT OF FOREIGN RELATIONS AND OF GOVERNMENT.

The citizen President of the republic has thought proper to establish for the present the residence of the government in this capital, in which he arrived on the 12th instant.

As well here as at the city of Hidalgo del Parral, at the cities of Allendo, Camargo, and Rosales, and other points in this State of Chihuahua which he stopped at in his progress, the citizen President has been greeted with the most enthusiastic and general demonstrations of affection for his person, and of consideration for the chief magistrate of the republic. All the inhabitants of this State, without distinction, whatever differences there may be about its internal affairs, combined in manifesting their ardent purpose to co-operate in the national defence.

The President will here avail himself of the efforts of the patriotic and enlightened Chihuahuans in the same manner that he counts on those which good Mexicans are making in other States not invaded by the enemy, and in the others of which he occupies a part. Here, as in every other part of the republic to which the President may go under the circumstances of war, he will constantly maintain it without ever failing in the fulfilment of his duties, sure that the people will continue to fight until the efforts of the invaders and traitors are exhausted, and they end by recognizing their powerlessness to rule the vast extent of the national territory, and inability to shake the constancy with which the Mexican people have defended and will ever defend their independence and their institutions.

Independence and liberty! Chihuahua, October 15, 1864.

LERDO DE TEJADA.

A copy:

F. D. MACIN
Second Secretary of Legation.

No. 2.

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,
Washington, January 30, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 28th of December, 1864, in which you are pleased to communicate, for the information of the government of the United States, copies of three circulars, issued, respectively, August 15, September 21, and October 15, 1864, by Señor Lerdo de Tejada, the minister for foreign affairs of the republic of Mexico, in which

he assigns the motives which have decided the Mexican government to abandon the city of Monterey, and to instal itself in the city of Chihuahua, the capital of the State of the same name. These circulars further give an account of the general, spontaneous and enthusiastic popular demonstrations offered to the national government throughout the States in which President Juarez passed on his journey to Chihuahua, and also of the measures which have been adopted by the government of Mexico with reference to the war with France.

While thanking you for your kind and considerate attention in communicating these interesting documents to this government, I avail myself of the opportunity to reiterate to you, sir, the assurances of my very distinguished consideration.

WILLIAM H. SEWARD.

Señor MATIAS ROMERO, &c.,
Washington, D. C.

No. 3.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION TO THE UNITED STATES,
New York, 19th of September, 1865.

MR. SECRETARY: I have the honor to remit to you, for the information of the government of the United States, copy of a note marked No. 297, under date of 15th August last past, from Paso del Norte, the minister of foreign relations of the Mexican republic informing me that on the 5th of said month the operations of the war obliged the national government of that republic to abandon the city of Chihuahua and to establish its residence at that time in the town of Paso del Norte. I think it proper to call your attention to the assurances contained in the note of Mr. Lerdo de Tejada, relating to the point that if the circumstances of war cause a change of residence of the government, it will never change the firm and constant resolution of the President to fulfil his duties in whatever place in the republic he may be, or whatever place he may have to go to.

I also send copy of the circular to which the note of Mr. Lerdo de Tejada refers, and of fragments of a letter written at Paso del Norte by the constitutional President of the republic of Mexico, which shows his manner of seeing the situation.

The occupation of the city of Chihuahua by the French army in no way alters the condition which things naturally keep in Mexico; everything causes the belief that the passing advantages that will result to the French from such occupation will be more than abundantly compensated by the inconveniences which must follow from their having so much extended their lines, weakening them in proportion, and making it more difficult to maintain them.

For the rest, the President of the republic does not propose to leave, on any account, the national territory.

I avail of this opportunity to renew to you, Mr. Secretary, the assurances of my most distinguished consideration.

M. ROMERO.

Hon. WILLIAM H. SEWARD.

[Enclosure No. 1.—Translation.]

Secretary Tejada to Minister Romero.

DEPARTMENT OF FOREIGN RELATIONS AND OF GOVERNMENT,
Paso del Norte, August 15, 1865.

By the annexed copy of the circular issued to-day by this department, you will see that the citizen President of the republic left the city of Chihuahua on the 5th of this month and arrived at this place yesterday, where he has determined that the seat of the national government shall for the present be located. If the circumstances of the war require a change in the residence of the government, they will never change the firm and constant determination of the President to comply with his duties in whatever place in the republic he may be located, or to which he may remove. You will please continue to send your communications to the vice-consulate in Franklin, because the government may remain here for some time, and because, in case of removal to another place, despatches will be forwarded from that place.

I renew to you my very attentive consideration.

LERDO DE TEJADA.

The Citizen MATIAS ROMERO,
Envoy Extraordinary and Minister Plenipotentiary of the Mexican republic, Washington.

A true copy:

IGNO. MARISCAL, *Secretary.*

NEW YORK, *September* 19, 1865.

[Enclosure No. 2.—Translation.]

[Circular.]

DEPARTMENT OF FOREIGN RELATIONS AND OF GOVERNMENT,
Paso del Norte, August 15, 1865.

Having left the city of Chihuahua on the 5th instant, the citizen President of the republic arrived yesterday at this place, where he has directed that the seat of the national government shall for the present be established.

At this place, as at whatever other in the republic where it may be convenient, according to circumstances, that the seat of government may be established, the citizen President will do all that is possible to comply with his duties with firmness and constancy, fulfilling in this manner the desires of the Mexican people, who will never cease struggling everywhere against the invader, over whom they must, necessarily, in the end, triumph in the defence of their independence and of their republican institutions.

I communicate the same to you for your knowledge and the consequent ends.

Independence and liberty!

LERDO DE TEJADA.

The GOVERNOR *of the State of* * * *

A true copy:

JUAN VALDEZ.

PASO DEL NORTE, *August* 15, 1865.

A true copy:

IGNO. MARISCAL, *Secretary.*

NEW YORK, *September* 19, 1865.

[Enclosure No. 3.—Translation.]

PASO DEL NORTE, *August* 17, 1865.

MY DEAR FRIEND: Notwithstanding the arrival of the French in this State, their situation is still the same, for they have failed to obtain any victory as the result of their military movement, and have not succeeded in destroying the legitimate government of the republic, which was their principal object. Had General Negrete remained in the States of Nuevo Leon, Tamaulipas, and San Louis, occupying their attention, as is now being done by Generals Escobedo, Mendes, Cortina, and Aguirre, the movement would not have been made; but Brincourt seeing the force disappear which had menaced him in Coahuila, resolved to march upon this State; still, after having expended much money and traversed an enormous desert, he has arrived and has encountered nothing, for of the force led by Negrete in his retreat I had ordered a part to Coahuila and a part to Durango, to join the forces of Patoni and Carrona, and the rest had been disposed in the mountains near Chihuahua under the command of the military governor, Don Manuel Ojinaga.

As the enemy, in bringing the strength of his forces into this State, has weakened his line from the interior, our forces have commenced attacking him in detail and with good success, following strictly the system of not accepting open battle, and of not allowing ourselves to be shut up in the towns.

On the 14th instant I reached this place, where I have established for the present the residence of the government.

It will be very difficult for the enemy to follow us here, and should they do so, it will be without avail and render their condition still worse; for they will not succeed in destroying the government, which will only remove to some other convenient point within the national territory, while they will only have increased their distance to five hundred leagues from the capital of the so-called empire, in the defence of which, now that our forces are about to open an active campaign in the interior, they will be unable to assist.

Patoni, Corona, and Villagra are operating upon Durango and Pueblita, in the State of Guanajuato; Arteaga, Regules, Salazar, and Riva Palacio, in the State of Michoacan; Alvarez, upon Iguala and Cuernevaca; Garcia, who has replaced General Diaz, in the States of Vera Cruz, Oajaca, Chiapas, and Tabasco; and Escobedo, Mendes, Cortina, and Aguierre, in the States of San Luis, Tamaulipas, Nuevo Leon, and Coahuila; while Generals Rosales, Rubio, Pesquierra, and Garcia Morales are operating in the States of Sonora and Sinaloa.

All these chiefs are of the opinion that the time for attacking the enemy with success has arrived, for the reason of his weakness through the large distances over which his lines are extended.

I shall soon be able to write to you confirming the correctness of my calculations, which are based upon the knowledge which I have of the situation of our country.

* * * * * * * *

BENITO JUAREZ.

A true copy:

IGNACIO MARISCAL,
Secretary.

NEW YORK, *September* 19, 1865.

No. 4.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,
Washington, 30th of November, 1865.

MR. SECRETARY: I have the honor of transmitting to you, for the information of the government of the United States, the copy of a communication I received last night from Mr. Lerdo de Tejada, minister of foreign relations of the Mexican republic, dated in the town of El Paso del Norte, the 2d of the mon th ending to-day, and numbered 376, by which I learn that the Mexican natio nal forces have compelled the French to evacuate the city and State of Chihuahua, and that the national government will soon be inaugurated there. Official notices of the same date induce us to believe that the invaders have also quit the State of Sinaloa, with the exception of the fort at Mazatlan; so they thus confess their inability to hold the territory they once occupied; and this at the same time that their government declares in Paris all opposition to the usurpation of the intruder Maximilian to be at an end, and when this person solemnly declares the President of the republic has left the country, and considering this calumny to be true, orders every Mexican who continues to fight for the independence of his country to be executed as a bandit without mercy.

I also send a number of the official paper to which Mr. Lerdo de Tejada alludes in his despatch.

I embrace this opportunity of renewing to your excellency the assurances of my most distinguished consideration.

M. ROMERO.

Hon. WILLIAM H. SEWARD, *&c., Washington, D. C.*

[Enclosure No. 1.]

No. 376.] DEPARTMENT OF FOREIGN RELATIONS AND GOVERNMENT,
Paso del Norte, November 2, 1865.

On the 27th of October, after the weekly mail in which I sent my correspondence of that date had left, the government received news that General Brincourt informed the traitor chief of police of Chihuahua, on the morning of the 23d, that he had received orders to retire to Durango with his forces, and within twenty-four hours would need the means of transportation. And in fact the French began to evacuate that city the 23d and finished the 29th, as you will see by the official communication received here yesterday, and published to-day in the paper enclosed.

Among the many explanations of this fact communicated to the government, the most probable is, the invaders find themselves obliged to concentrate their forces to retain important parts of the territory in the interior of the republic where discontent has become more general. But perhaps some serious events have recently occurred, too far away to have reached us yet, that may have induced the evacuation.

I protest to you my very attentive consideration.

LERDO DE TEJADA.

Citizen MATIAS ROMERO,
Envoy Extraordinary and Minister Plenipotentiary
of the Mexican Republic at Washington, D. C.

A true copy:

IGNACIO MARISCAL.
Secretary.

WASHINGTON, D. C., *November* 30, 1865

[Enclosure No. 2.—Translation.]

[From the official paper of the constitutional government of the Mexican republic. Vol. 1. No. 120. Paso del Norte, November 2, 1865,]

DEPARTMENT OF FOREIGN RELATIONS AND GOVERNMENT.—GOVERNMENT BUREAU.—SECTION 1.

The citizen President of the republic has been pleased to address me the following decree:

"*Benito Juarez, constitutional President of the United Mexican States, to the inhabitants, greeting:*

Using the plenary powers conferred upon me, I have decreed as follows:

ART. 1. The town of Presidio del Norte, in Aldama canton, State of Chihuahua, is hereby made a city, with the name of Ojinaga.

ART. 2. The political and municipal government of the city of Ojinaga shall be constituted according to the laws of the State of Chihuahua. Therefore, I order this decree to be printed, published, circulated and enforced.

Done in Paso del Norte the 23d of October, 1865.

BENITO JUAREZ.

Citizen SEBASTIAN LERDO DE TEJADA,
Minister of Foreign Relations and Government.

And I communicate it to you for the purposes consequent thereon.

Independence and liberty! Paso del Norte, October 23, 1865.

LERDO DE TEJADA.

The Citizen GOVERNOR AND MILITARY COMMANDER
of the State of Chihuahua, Guadalupe y Calvo.

BUREAU OF GOVERNMENT.—SECTION 1.

By the decree which I communicate to you at this date, the citizen President of the republic has erected the town of Presido del Norte, in Aldama canton, into a city, in accordance with a previous declaration to that effect, and because of its increase of late years, which must continue daily in the number of its inhabitants and development of its agricultural and mercantile wealth, and because of its excellent location at the junction of the Conchos with the Rio Grande, in the most direct and nearest point for frontier trade between the State of Chihuahua.

The citizen President of the republic has been pleased to give to the new city the name of Ojinaga, to the memory of General Manuel Ojinaga, who was governor and military commander of the State of Chihuahua, and in honor of the same State of which he was a worthy citizen, dying gloriously in the fulfilment of his duties, in defence of the independence and liberty of his country.

Independence and liberty! Paso del Norte, October 23, 1865.

LERDO DE TEJADA.

The Citizen GOVERNOR AND MILITARY COMMANDER
of the State of Chihuahua, Guadalupe y Calvo.

BUREAU OF GOVERNMENT.—SECTION 1.

The citizen President of the republic was sorry to hear of the death of citizen General Manuel Ojinaga, governor and military commander of the State of Chihuahua, on the second of September last, at Ariciachic, who bravely sacrificed his life in the discharge of his duties, sustaining the holy cause of independence and the liberty of his country.

This sacrifice of his life will always merit the constant sentiments of respect, esteem, and gratitude of all good Mexicans, and particularly of the good sons of Chihuahua.

As a perpetual token of honor to his memory, the citizen President has given the name of Ojinaga to Presidio del Norte, when it was constituted a city, as you will see by the two accompanying copies of the decree and communication addressed this day to the government of the State.

I transmit them to you, because your wife was a sister of General Ojinaga, and the President has charged me to inform you. and others of the worthy Mexican general's family, of his sorrow for the general's death, and his high esteem for his memory.

Accept the assurances of my attentive consideration.

Independence and liberty! Paso del Norte, October 23, 1865.

LERDO DE TEJADA.

Magistrate JUAN N. DE URQUIDI, *La Conception.*

[Enclosure No. 3.]

POLITICAL CHIEF AND MILITARY COMMANDER OF THE EASTERN FRONTIER.

News was received at ten o'clock, yesterday, of the evacuation of Chihuahua by the last of the invading forces. It is without a government, and is kept in order by a few citizens, under command of C. Felix Maceyra.

In consideration of these circumstances, and the powers granted me by the 2d clause of the instructions of the 23d from your department, I have conformed to the popular will of the State capital by appointing citizen Luis Terrazas as political chief and military commander of the city, and he accepts this testimony of confidence as emanating from the supreme government, as I am at present its proper agent and representative.

In consideration of this, we set out for Chihuahua this day, to take possession of it, and establish order and safety, and we can assure the department that the loyal inhabitants have groaned under the French yoke, and are now ready to open their gates to lawful authorities whenever it may please the supreme chief of the nation to return.

The organization and quartering of the national guard will be the first step, as the peculiar situation of the city demands it.

Mr. Terrazas, yielding to my invitation, and those of the principal inhabitants, has temporarily assumed the civil and military command till the supreme government shall appoint his successor.

As I have to go to the east frontier, by order of the supreme government, I shall remain in this capital only long enough to get an answer to this note.

The few spurious sons of this deserving State have gone out with the imperials, all or most of them following the French banner. The population of Chihuahua will have the pleasure of saluting the national flag, which will be hoisted when the city is repossessed.

Although this is not a triumph of arms, yet it is an event of joy, for the State is now free from foreign invasion, thanks to the heroes inland, and in spite of our cruel oppressors. Therefore I congratulate the supreme government with all the sincerity of my soul on this auspicious circumstance, and offer to you, Mr. Minister, my respects, esteem, and distinguished consideration.

God, liberty, independence, and reform! Sauz, October 30, 1865.

JOSÉ MERINO.

Citizen MINISTER
of Foreign Relations and Government, Paso del Norte.

[Enclosure No. 6.]

DEPARTMENT OF FOREIGN RELATIONS AND GOVERNMENT.—BUREAU OF GOVERNMENT.—SECTION 1.

The citizen President of the republic has heard with satisfaction, by your official despatch from Sauz of the 30th October, that the French had evacuated the city of Chihuahua the day before.

The citizen President not only approves of the appointment of citizen Luis Terrazas as military and political commander of the city and canton, but he also makes him this day governor and military commander of the State.

It is favorable to the government that the State of Chihuahua, whose sons have always given proofs of patriotism, is now free from the invader, who left the capital where most of the citizens showed their loyalty, even in the enemy's presence, who sought to vent their spite by using new ways of refined cruelty.

Independence and liberty! Paso del Norte, November 1, 1865.

LERDO DE TEJADA.

Citizen Colonel JOSÉ MERINO,
Civil Chief and Military Commander of the Eastern Frontier, Chihuahua.

[Enclosure No. 7.]

DEPARTMENT OF FOREIGN RELATIONS AND GOVERNMENT.—BUREAU OF GOVERNMENT.—SECTION 1.

In consideration of your approved patriotism and good services, the citizen President of the republic has been pleased to appoint you governor and military commander of the State of Chihuahua. I will send you a copy of the despatch addressed to General Augustin Villagra, in Guadalupe y Calvo, ordering him to relinquish the government and military command of the State, which he held temporarily, for other important services; therefore, on the reception of this communication, you may immediately assume the exercise of your office.

I communicate this to you, investing you with the office of governor, and will send a copy to the war department, that you may be properly vested with the office of military commander.

Independence and liberty! Paso del Norte, November 1, 1865.

LERDO DE TEJADA.

Citizen LUIS TERRAZAS,
Governor and Military Commander of the State of Chihuahua.

No. 5.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,
Washington, 29th of December, 1865.

MR. SECRETARY: I have the honor to transmit you the copy of a communication I received to-day from Mr. Lerdo de Tejada, minister of foreign affairs of the Mexican republic, dated in the city of Chihuahua the 21st of November last, informing me of the return of the constitutional government of Mexico to that city.

I also send you a supplement to No. 121 of the official paper of that government, published the same day with the circular of the minister of relations to the state governors, informing them of the restoration of the federal government in Chihuahua, and an article describing the enthusiastic demonstrations with which President Juarez was received by the inhabitants of that city.

Recent events in Chihuahua give the best proof of the instability of the edifice the French are trying to erect in Mexico. On the last of August a considerable French army approached the city, and the national government was compelled to abandon it; the invading army took possession of, but could not hold it, and soon afterwards left; constitutional order was established the same day, without the aid of any armed Mexican force, in the place or near it; the chief of the nation soon returned, and was received with the greatest demonstrations of joy, as the true representative of national independence, a blessing they now appreciated the more as it was so near being lost.

I must also remit to you the copy of a letter written from Chihuahua, the 27th of October, by the Mexican citizen Jesus Escobar y Armendariz, who was formerly attached to this legation, and was a victim of French persecution, on account of his patriotism in Chihuahua, the 16th of September last, the anniversary of Mexican independence, and to whom I referred in my note of the 12th of November last to your department.

The simple account Mr. Escobar y Armendariz gives of the sufferings he endured by reason of his love for his country, and his resolute determination not to submit to the absurd pretensions of the invading tyrant, show the exact feelings of the Mexican people in regard to French intervention, and that like him, there are many other citizens whose sufferings are not known to us.

I profit by this occasion to renew to you, Mr. Secretary, the assurances of my most distinguished consideration.

M. ROMERO.

Hon. WILLIAM H. SEWARD.

[Enclosure No. 1.]

DEPARTMENT OF FOREIGN RELATIONS AND GOVERNMENT,
BUREAU OF RELATIONS, SECTION FOR AMERICA, No. 393,
Chihuahua, November 21, 1865.

As you will see by the circular issued yesterday from this department, and inserted in the printed paper accompanying this note, the President of the republic left Paso del Norte the 13th of this month, and reached this city yesterday, where he has determined to fix the residence of the national government for the present.

You will also see in the same paper an account of the public demonstrations on the reception of the President, which furnishes a new proof of the patriotic sentiments of the generality of Mexicans against French intervention.

I protest to you my attentive consideration.

LERDO DE TEJADA.

MATIAS ROMERO,
Envoy Extraordinary and Minister Plenipotentiary of the Mexican Republic.

A true copy:

IGNO. MARISCAL.
Secretary.

WASHINGTON, *December* 29, 1865.

[Enclosure No. 2.—Translation.]

Supplement to No. 121 *of the official paper of the constitutional government of the Mexican republic, Chihuahua, November* 21, 1865.

DEPARTMENT OF FOREIGN RELATIONS AND GOVERNMENT.

[Circular.]

The citizen President of the republic left El Paso del Norte the 13th of this month, and arrived in this city to-day, where he has determined to locate the national government for the present.

The foreign invader remained but a few days at a time at any place in the very patriotic State of Chihuahua, and soon withdrew, without leaving a single officer to organize a government. He has thus been obliged to confess his inability to extend his dominion over the State and keep it; and that if, unfortunately, he found a few ungrateful children in Mexico, he found the great majority rejected the foreign yoke, that has only been imposed where bayonets could penetrate. The temporary plan of intervention will soon disappear from every part of the territory.

The President of the republic has returned to this capital amid the greatest patriotic demonstrations of its citizens; and he will continue to do his duty, as he always has done in adversity as in prosperity, sustaining the cause of independence and the institutions of the republic.

Independence and liberty! Chihuahua, November 20, 1865.

LERDO DE TEJADA.

Citizen GOVERNOR *of the State of* ———.

[Enclosure No. 3.]

Reception of the President of the republic in the city of Chihuahua.

The return of the President of the republic to the capital of this State, where he arrived yesterday morning, has given a new impulse to the well-known patriotic sentiments of the inhabitants of this city.

The governor of the State, the city council, and a large number of distinguished citizens went out as far as Nombre de Dios to receive the supreme magistrate of the nation.

This procession met that from El Paso, with the supreme government. The President's carriage, containing himself and Governor Luis Terraza, took the lead.

Crowds of people afoot, on horses and in carriages, joined the procession all along the road and went as far as the northern limit of the city. There were many ladies in carriages. On the way from the city boundary to the national palace streamers of national colors were fixed on staffs at intervals. The national guard, composed of merchants and artisans, formed a square and received the chief magistrate of the nation with great honor. The doors and windows of the houses were decorated with curtains. The houses, the streets, the roofs, the squares, the church of San Francisco and the college were crowded with people, who gave unequivocal evidence of the pleasure they took in a celebration which seemed a solemn vindication of outraged national rights. The ringing of bells, the bursting of rockets, and other demonstrations of political enthusiasm completed the beautiful picture we are attempting to delineate.

The entry to the national palace presented a still more imposing sight, as

beautiful as unusual. The principal ladies of the city, numbering more than fifty, elegantly dressed, were arranged in two rows, waiting for the President of the republic. Venerable matrons and young beauties contributed their homage of exquisite delicacy to the representions of patriotic nationality, which it was almost impossible to behold with dry eyes.

When the patriots and ladies had assembled in the principal hall, young Julio Jaurrieta read a feeling and sympathetic poem to the President, congratulating him on his constancy and abnegation. The interpreter for the ladies' congratulations had the special recommendation to be one of those deserving young men who provoked the anger of the French and suffered their insults for having celebrated the 16th of September last with expressions of dislike to foreign rule.

President Juarez, deeply moved, expressed his thanks for these attentions, and praised the ladies of Chihuahua, saying no nation could perish whose inhabitants had mothers, sisters and daughters, such models of virtue and patriotism.

Before the ladies withdrew, the President of the republic requested them to join him in a toast, in which he wished again to express his gratitude for the attentions of the fair sex, examples worthy of imitation by those who ought always to respect the supreme authority.

The poor of the city, in their turn, came to greet the President, who was much pleased at this demonstration of esteem.

At two in the afternoon a sumptuous table was spread by the governor and military commander of the State, to welcome the President's return to the city. It was attended by the refugees accompanying the President and the notabilities of the city.

This banquet, elegantly arranged and served, was prepared by the first ladies of the city, who wanted to offer this additional testimony of their esteem for their worthy President.

At table many toasts were drunk to the President of the republic, to the ministers of relations and government of justice and the treasury, to the State governor, General Ignacio Mejia, Judge Laureano Muñoz, and many others.

Most of the toasts were in honor of Chihuahua, for her noble conduct in opposing the invasion and French intervention, not only with arms, but morally, refusing to act with them in any way, so that they had to retire without organizing a government, and followed by a few vile traitors. The other toasts were to the happy return of the President of the republic to the city; for the prompt conclusion of the difficulties; to the memory of Generals Meoqui and Ojinaga; to the men who celebrated the 16th of September; to their distinguished companion and patriot Jesus Escobar y Armendariz, the victim of French fury; for the punishment of the unfortunate Ojinaga's assassins; and for brave citizens everywhere who are disposed to sustain the glorious work of preserving national independence.

The dinner closed about dark, and the greatest cordiality and animation reigned through the entire repast, At night the whole city was illuminated.

The 20th of November, 1865, will be a memorable day in the history of Mexico, on account of this celebration, showing the good will and enthusiasm, the exquisite delicacy of the capital of the State of Chihuahua, after letting the invaders know that brute force is not enough to subject national will, in receiving the President of the republic, whose authority, without coercion, rests solely upon the love of the people, a love which he will always try to win and to merit, with the firm determination to consecrate all his cares and labors to the post that has been conferred upon him, and to defend the independence and sovereignty of the nation.

[Enclosure No. 4.]

IN PRISON FOR THE LOVE OF MY COUNTRY,
Chihuahua, October 27, 1865.

MUCH ESTEEMED FRIEND: On the 16th of September a mass was said at the tomb of Hidalgo, attended by the greater part of the citizens of Chihuahua. The ladies clad in mourning, a flag at half-mast, and black crape in token of a nation's mourning, and that of the State for the death of the young governor, Ojuraga, were the sole adornments of the altar; tears and flowers were the offerings to Hidalgo.

This was worth more than a victory to the national cause, although I was the victim. I was dining with twenty of my friends, on the evening of the 16th, celebrating, in our way, the anniversary of independence, when the police fell upon us, with orders to arrest me—me only—as the leader of the movement; but my friends would not leave me, but all agreed to go to prison with me. Then the judge came, seized our flag, the prime offence, and sent us to jail, where we remained eight days, when all were set at liberty but me, who had to pay a fine of one thousand dollars. General Brincourt sentenced me to one month's close confinement at hard labor, and could not be induced to release me, though the merchants liberally offered large sums of money to procure my discharge. So I had to sweep the streets for a month; at first the square, and then the street where the general lived. Ladies came out to give me flowers, and I was having a good time in the streets where I had to work, when, to stop it, an order was issued, commanding any lady to be taken to prison who offered me flowers, or any other attention; and the time was discounted, and I had to begin again every time I admitted such attentions. So these attentions were postponed till I should be liberated; but, alas, who could tell when that would be? When my term of service was out, instead of being set at liberty, I received an order of banishment, *because* (and the judge read the despatch to me) *I had openly refused to submit to the empire.* In fact, I had told the general frankly I could not adhere to a government so opposed to my principles, particularly when he had said he would respect opposing opinions, and not prosecute those who entertained them; and he positively promised, after confessing that I was subject to no penalty for what I had said, that I should not be molested provided I kept the peace. This was necessary, as I had to be tried by court-martial on the 1st of this month if I did not present myself. The fact is, I am yet in prison, waiting for my order to depart, without knowing where I am to go; but most probably with the general and his troops, who have begun to evacuate to-day, and will all be gone by the day after to-morrow. Mazatlan has also been evacuated; the object seems to be to concentrate the forces against the firm resistance of the native patriots. All the government officials of the empire leave with the French, as they would not be safe a single day without them. They have a great dislike to me, and who knows what is to become of me in their hands? My friends think me in great danger, but I can remain calm and firm, and will not hesitate an instant, as I consider it my holy duty to resist. If they release me, I will instantly quit them. I greet you with my friends. I have time for no more; it is scarcely prudent to do this.

Adieu, my good friend; and may our country remain independent.

J. ESCOBAR Y ARMENDARIZ.

MR. MATIAS ROMERO.

A true copy:

IGNO. MARISCAL,
Secretary.

WASHINGTON, *December* 29, 1865.

No. 6.

Mr. Romero to Mr. Hunter.

[Translation.]

MEXICAN LEGATION TO THE UNITED STATES OF AMERICA,
Washington, 21st of January, 1866.

MR. ACTING SECRETARY: I have the honor of transmitting to you, for the information of the government of the United States, the copy of a note of Mr. Lerdo de Tejada, minister of foreign relations of the Mexican republic, dated El Paso, 19th December, 1865, and numbered 407, with the circular addressed to the State governors, informing them that the President of the republic left the city of Chihuahua, on the 9th of May, on account of a large French force marching against it, and arrived at El Paso del Norte on the 18th, where the national government of Mexico is at present established.

A copy of the circular is also enclosed.

I think proper to call your attention to the assurances in the circular that "the President of the republic will always firmly maintain his resolution to sustain the cause of the independence and institutions of Mexico, under all the vicissitudes of war, which are now decreasing, and the enemy's resources will soon be exhausted by the constant struggle of the Mexican people, who are bound to triumph at no very distant period."

I embrace the occasion to renew to you the assurance of my most distinguished consideration.

M. ROMERO.

Hon. WILLIAM HUNTER, *&c.*

[Enclosure No. 1.]

DEPARTMENT OF FOREIGN RELATIONS AND GOVERNMENT.—OFFICE OF RELATIONS.—SECTION OF AMERICA.—No. 407.

PASO DEL NORTE, *Chihuahua, December* 19, 1865.

I enclose to you with this note a copy of the circular issued by this department, giving notice that the President of the republic left Chihuahua the 9th of this month, and arrived in this city yesterday, where the seat of the national government is established for the time being.

I assure you of my attentive consideration.

LERDO DE TEJADA.

Citizen MATIAS ROMERO,
Envoy Extraordinary and Minister Plenipotentiary of the Mexican republic in Washington, D. C.

A true copy: IGNO. MARISCAL.

WASHINGTON, *January* 21, 1866.

[Enclosure No. 2.]

DEPARTMENT OF FOREIGN RELATIONS AND GOVERNMENT.—OFFICE OF GOVERNMENT.—SECTION FIRST.

The citizen President of the republic left the city of Chihuahua the 9th, and arrived here yesterday, where he has determined to fix the seat of the national government, for the time being.

It is unnecessary to repeat that the citizen President of the republic will always firmly maintain his resolution to sustain the cause of the independence

and institutions of the republic, under all the vicissitudes of war, which are now decreasing, and the enemy's resources will soon be exhausted by the constant struggle of the Mexican people, who are bound to triumph at no very distant period.

Independence and liberty! Paso del Norte, December 19, 1865.

LERDO DE TEJADA.

The Citizen GOVERNOR *of the State of* ———.

A true copy:

JUAN VALDES, *First Officer.*

PASO DEL NORTE, *December* 19, 1865.

A true copy:

IGNO. MARISCAL, *Secretary.*

WASHINGTON, *January* 21, 1866.

[Enclosure No. 3.]

PASO DEL NORTE, MEXICO, *December* 22, 1865.

In my letter of the 15th ultimo I announced the departure of President Juarez, with his cabinet and government, from the city of Chihuahua for this place, and also stated that the probable date of his arrival would be the 16th or 17th. In consequence, however, of a very cold spell of weather—the coldest that has been experienced here for years—he was unable to reach this point until last Monday, December 18.

During the previous week we had been celebrating our annual *fiesta* in honor of "Our Lady of Guadalupe"—the recognized patroness of this place—and, as usual, this had brought an immense concourse of people from the neighboring country. Their conduct and enthusiasm must have proved cheering, and given hope-inspiring evidence to the President of their deep earnestness and sympathy in his fortunes. When it became known that the republican President was nearing the city a large body of horsemen, including all the principal men of the place, preceded by a band of music, sallied out to meet and escort him to the residence assigned for his use. An immense crowd of persons, of all ages and sexes, lined the principal street and plaza from an early hour in the day, anxiously awaiting the arrival of the cavalcade. It was not until late in the afternoon, however, that the procession arrived. The mounted deputation of citizens came first; after them came the President in his carriage, accompanied by the secretary of state and the secretary of the treasury; then followed a company of infantry as a body guard, and after them the remaining part of the *cortége*, consisting of a large number of carriages and ambulances, containing, besides government officials, many of the principal citizens of Chihuahua, who voluntarily preferred following the fortunes of the President to living under French domination at home.

The most enthusiastic expressions of joy and welcome greeted the President as he slowly rode through the dense crowd of citizens who filled the streets through which he passed. *Vivas* upon *vivas* burst from a thousand tongues; the bells of the cathedral rang out their merriest chimes; deafening volleys of small-arms rent the air, while peal after peal of heavy artillery shook the loftiest peaks of the Sierra Madre. It was a gratifying evidence that the popular heart beats right; that although a few of the principal men may have united their fortunes with the imperial dynasty, still the sturdy yeomanry, the bone and sinew of the country, are as ready and willing as at any previous time to strike in defence of the institutions of their choice and adoption.

A column of about five hundred infantry, under General Terrasaz, who has been the governor of this State for a number of years, left Chihuahua a day or

two after the President, and are now in the town of Carrizal. They will remain there a few days and then come on to this place, where, it is thought, their number will be increased to a thousand men. With this force it is intended to move on the capital of the State to drive the invader out of it. General Terrasaz has also moved the entire State government to the town of Carrizal, including the archives and all movable property; and, for the present, that town will be the State capital.

The last mail brought the cheering news that President Johnson had at last appointed, after such a long interregnum, a new minister to represent the United States in this country; and the news was none the less welcome when it was known that that gallant soldier and eloquent orator, General John A. Logan, was the man. The news was carried to President Juarez by a special courier, and met him on his way to this place. The very intelligence has given new life and energy to things here already, and the most happy results are anticipated from it.

The military commandant here is Colonel Carlos Norriega, who was one of the prisoners captured at the taking of Puebla and sent to France, with General Mejia and many more. He was released some months ago, as well as the latter officer, who is also here. They arrived a short time ago by the overland mail from St. Louis. Colonel Norriega speaks English quite fluently, is a most efficient officer, and much liked.

A true copy: IGNO. MARISCAL, *Secretary.*

WASHINGTON, *January* 21, 1866.

No. 7.

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,
Washington, March 14, 1866.

SIR: I have the honor to acknowledge the receipt of your communications of September 19, November 30, and December 29, 1865, and January 21, 1866, with their several accompanying enclosures, which relate to the changes which have, from time to time, been made of the seat of the constitutional government of the Mexican republic, in order to meet the exengicies arising from the contest then and still pending in that republic.

Thanking you for the interesting information thus conveyed to this government, I pray you, sir, to accept the assurance of my high consideration.

WILLIAM H. SEWARD.

Señor MATIAS ROMERO, *&c., Washington, D. C.*

No. 16.

THE ASSASSINATION OF PRESIDENT ABRAHAM LINCOLN.

List of papers.

No. 1.	Mr. Hunter to Mr. Romero	April 15, 1865.
No. 2.	Mr. Romero to Mr. Hunter	April 15, 1865.
No. 3.	Mr. Hunter to Mr. Romero, (with one enclosure)	April 18, 1865.
No. 4.	Mr. Romero to Mr. Hunter	April 18, 1865.
No. 5.	Mr. Romero to Mr. Hunter, (with two enclosures)	April 21, 1865.
No. 6.	Mr. Hunter to Mr. Romero	June 6, 1865
No. 7.	Mr. Hunter to Mr. Mejia	June 6, 1865.

No. 8. Mr. Romero to Mr. Seward, (with one enclosure).... June 30, 1865.
No. 9. Mr. Seward to Mr. Romero ..... July 18, 1865.
No. 10. Mr. Romero to Mr. Seward, (with one enclosure).... July 20, 1865.
No. 11. Mr. Seward to Mr. Romero ..... Nov. 6, 1865
No. 12. Mr. Romero to Mr. Seward ..... Nov. 8, 1865.
No. 13. Mr. Romero to Mr. Seward, (with two enclosures)... Sept. 14, 1865.

No. 1.

Mr. Hunter to Mr. Romero.

DEPARTMENT OF STATE,
Washington, April 15, 1865.

SIR: It is my great misfortune to be obliged to inform you of events not less afflicting to the people of the United States than distressing to my own feelings and the feelings of all those connected with the government.

The President of the United States was shot with a pistol, last night, while attending a theatre in this city, and expired this morning from the effects of the wound.

At about the same time an attempt was made to assassinate the Secretary of State, which, though it fortunately failed, left him severely, but it is hoped not dangerously, wounded with a knife or dagger. Mr. F. W. Seward was also struck on the head with a heavy weapon, and is in a critical condition from the effect of the blows.

Pursuant to the provision of the Constitution of the United States, Andrew Johnson, the Vice-President, has formally assumed the functions of President. I have by him been authorized to perform the duties of Secretary of State until otherwise ordered.

I avail myself of the occasion to offer to you the assurance of my very distinguished consideration.

W. HUNTER,
Acting Secretary of State.

Señor MATIAS ROMERO, *&c.*, *Washington, D. C.*

No. 2.

Mr. Romero to Mr. Hunter.

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,
Washington, 15th of April, 1865.

MR. SECRETARY AD INTERIM: The grief I felt this morning, on hearing of the death of the President of the United States from a wound received last night in a theatre of this city, and of the serious wounds of the Secretary and Assistant Secretary of State, has not been less than yours expressed in the note of this date informing me of those unpleasant events, and which I have just received.

Your note also informs me that, according to the Constitution of the United States, the honorable Andrew Johnson, Vice-President of the United States, formally assumed the functions of President to-day, and authorized you to discharge the duties of Secretary of State *ad interim* till further orders.

Though the occasion is a sad one, I embrace it to renew to you, sir, the assurances of my distinguished consideration.

M. ROMERO.

Hon. WILLIAM HUNTER, *&c.*

No. 3.

Mr. Hunter to Mr. Romero.

DEPARTMENT OF STATE,
Washington, April 18, 1865.

SIR: I have the honor to enclose a programme of arrangements for the obsequies of the late President. The religious services will take place at the Executive mansion at 12 o'clock to-morrow. Your attendance at half past eleven is invited.

I have the honor to be, with the highest consideration, your obedient servant.

W. HUNTER,
Acting Secretary.

Señor MATIAS ROMERO. *&c., Washington, D. C.*

[Enclosure No. 1.]

Official arrangements at Washington for the funeral solemnities of the late Abraham Lincoln, President of the United States, who died at the seat of government on Saturday, the 15th day of April, 1865.

WAR DEPARTMENT,
Adjutant General's Office, Washington, April 17, 1865.

The following order of arrangement is directed:

ORDER OF THE PROCESSION.

Funeral escort—in column of march.
One regiment of cavalry.
Two batteries of artillery.
Battalion of marines.
Two regiments of infantry.
Commander of escort and staff.
Dismounted officers of marine corps, navy and army, in the order named.
Mounted officers of marine corps, navy and army, in the order named.

All military officers to be in uniform, with side-arms.

CIVIC PROCESSION.

Marshal.
Clergy in attendance.
The Surgeon General of the United States army and physicians to the deceased.

Pall-bearers.	HEARSE.	Pall-bearers.
Pall-bearers.		Pall-bearers.

On the part of the Senate:	On the part of the House:
Mr. Foster, of Connecticut.	Mr. Dawes, of Massachusetts.
Mr. Morgan, of New York.	Mr. Coffroth, of Pennsylvania.
Mr. Johnson, of Maryland.	Mr. Smith, of Kentucky.

Mr. Yates, of Illinois.
Mr. Wade, of Ohio,
Mr. Conness, of California.
Mr. Colfax, of Indiana.
Mr. Worthington, of Nevada.
Mr. Washburne, of Illinois.

Army:
Lieutenant General U. S. Grant.
Major General H. W. Halleck.
Brevet Brigadier General W. A. Nichols.

Navy:
Vice-Admiral D. G. Farragut.
Rear-Admiral W. B. Shubrick.
Colonel Jacob Zeilin, marine corps.

Civilians:
O. H. Browning.
George Ashmun.
Thomas Corwin.
Simon Cameron.

Family.
Relatives.
The delegations of the States of Illinois and Kentucky, as mourners.
The President.
The cabinet ministers.
The diplomatic corps.
Ex-Presidents.
The Chief Justice and Associate Justices of the Supreme Court.
The Senate of the United States, preceded by their officers.
Members of the House of Representatives of the United States.
Governors of the several States and Territories.
Legislatures of the several States and Territories.
The federal judiciary and the judiciary of the several States and Territories.
The Assistant Secretaries of State, Treasury, War, Navy, Interior, and the Assistant Postmasters General, and the Assistant Attorney General.
Officers of the Smithsonian Institution.
The members and officers of the Sanitary and Christian Commissions.
Corporate authorities of Washington, Georgetown, and other cities.
Delegations of the several States.
The reverend the clergy of the various denominations.
The clerks and employés of the several departments and bureaus, preceded by the heads of such bureaus and their respective chief clerks.
Such societies as may wish to join the procession.
Citizens and strangers.

The troops designated to form the escort will assemble in the avenue, north of the President's House, and form line precisely at 11 o'clock a. m., on Wednesday, the 19th instant, with the left resting on Fifteenth street. The procession will move precisely at 2 o'clock p. m., on the conclusion of the religious services at the Executive Mansion, (appointed to commence at 12 o'clock, meridian,) when minute-guns will be fired by detachments of artillery stationed near St. John's Church, the City Hall, and at the Capitol. At the same hour the bells of the several churches in Washington, Georgetown, and Alexandria will be tolled.

At sunrise on Wednesday, the 19th instant, a federal salute will be fired from the military stations in the vicinity of Washington, minute-guns between the hours of 12 and 3 o'clock, and a national salute at the setting of the sun.

The usual badge of mourning will be worn on the left arm and on the hilt of the sword.

By order of the Secretary of War:

W. A. NICHOLS,
Assistant Adjutant General.

No. 4.

Mr. Romero to Mr. Hunter.

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,
Washington, 18th of April, 1865.

MR. ACTING SECRETARY: I have had the honor of receiving your note of to-day, containing the programme of the funeral of the late President of the United States, and inviting me to attend the services at the Executive Mansion to-morrow morning at half-past eleven o'clock.

I shall do myself the honor to attend, as requested.

I repeat to you, sir, the assurances of my distinguished consideration.

M. ROMERO.

Hon. WILLIAM HUNTER, *&c.*

No. 5.

Mr. Romero to Mr. Hunter.

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,
Washington, 21st of April, 1865.

MR. ACTING SECRETARY: The Mexican citizens residing in the city of New York held a meeting on the 15th instant, with the view of agreeing as to the manner of expressing to this government the profound sorrow caused to them by the unexpected death of the late President of the United States, and they came to the conclusion to address to you the communication which I enclose to you, and which was transmitted to me with the request that I should place it in your hands. I also enclose a copy of the note which they addressed to me on the same day, the 15th instant, with that object.

I can assure you, sir, that the government and people of Mexico will be profoundly and sincerely moved upon receiving the news of the misfortune which has just occurred to the Chief Magistrate of this country, and that they will sympathize with the people of the United States in the sorrow which the said misfortune has caused them.

I renew to you, sir, the assurances of my distinguished consideration.

M. ROMERO.

Hon. WILLIAM HUNTER, *&c.*

[Enclosure No. 1.—Translation.]

MEXICAN CLUB IN NEW YORK.

By direction of this club, I have the honor to enclose to you the manifestation which it has deemed proper to address to the Secretary of State upon the occasion of the death of President Abraham Lincoln, and to request you to do us the favor to cause it to reach the hands of the government of this country, for the club desires that through your instrumentality, who are the worthy representative of the lawful government of Mexico, that of the United States may be informed of feelings which animate them on this occasion.

I protest to you my distinguished consideration.

Independence and liberty! New York, April 15, 1865.

IGNACIO MEJIA.

The MINISTER *of Mexico at Washington.*

A true copy:

IGNO. MARISCAL, *Secretary.*

WASHINGTON, *April* 21, 1865.

[Enclosure No. 2.—Translation.]

MEXICAN CLUB AT NEW YORK.

New York, April 15, 1865.

SIR: The Mexican Club of New York, profoundly affected by the tragic and premature death of the President of the United States, Abraham Lincoln, has resolved to manifest to your excellency that the citizens which compose it fully sympathize with the affliction of the American people; that they look upon the loss of this eminent patriot not only as a great calamity to the United States, but as a just cause of mourning for all the peoples who in America enjoy liberty, or are contending to restore it; and they believe that with Lincoln there has disappeared from earth one of the great benefactors of humanity, who, on descending to the tomb, has been crowned with the laurel of immortality and martyrdom.

To the veneration which Lincoln will have in history, as the personification of the great American people, in his firmness, in his energy, in his enlightenment, and in his magnanimity, to his great title of the emancipator of the slaves, he will always add in the hearts of the Mexicans the acknowledgment which the love of justice and the respect for law inspires, of which he gave proofs, in not sanctioning the outrages committed against Mexico, and in not acknowledging in that republic any other power than that which is derived from the institutions and the free national will.

The Mexican Club, in taking part in the affliction of the people of the United States, upon whom it looks as a nation of brothers, cherishes the hope that as the spirit of Washington has animated this nation in the work of consolidating its institutions, so the spirit of Lincoln may continue to guide it until peace and union are restored, slavery abolished, and until it shall become the bulwark of liberty for all America.

On addressing this manifestation to your excellency, we have the honor to offer to you the assurances of our very distinguished consideration.

In the absence of the president, from indisposition,

IGNACIO MEJIA, *Vice President.*

CIPRIANO ROBERT, *Secretary.*

Hon. SECRETARY OF STATE *of the United States.*

No. 6.

Mr. Hunter to Mr. Romero.

DEPARTMENT OF STATE,

Washington, June 6, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 21st of April last, transmitting to me the communication of the citizens of Mexico residing in the city of New York, under date of April 15, in which they express their profound sorrow at the unexpected death of Abraham Lincoln, the late President of the United States, and also a copy of their letter to you of the same date as their manifestation, requesting the delivery of the latter to this department.

I have now the honor to enclose to you my reply to the president of the Mexican Club of New York, and will thank you to forward the same to him, and at the same time to express to you, sir, the high appreciation of this government and people for the assurance conveyed to them, in your note, of the condolence and sympathies of the government and people of Mexico in the sad event which we deplore.

I avail myself of this opportunity to tender to you, sir, renewed assurances of my most distinguished consideration.

W. HUNTER,
Acting Secretary of State.

Señor MATIAS ROMERO, &c., *Washington, D. C.*

No. 7.

Mr. Hunter to Mr. Mejia.

DEPARTMENT OF STATE,
Washington, June 6, 1865.

SIR: I have had the honor to receive, through the channel of Señor Don Matias Romero, the envoy extraordinary and minister plenipotentiary of the republic of Mexico, accredited to this government, your letter of the 15th of April last, setting forth the proceedings of the Mexican club of New York on the occasion of the premature and tragic death of Abraham Lincoln, the late President of the United States, and informing me that the citizens who compose it fully sympathize with the affliction of the American people.

In this connexion you are pleased to refer to the late and lamented chief magistrate of this country in terms which are deemed most flattering, and to commend him for his firmness, energy, enlightenment, and magnanimity in the faithful discharge of his great and difficult duties, which have won for him the respect and love of the Mexican people; and you conclude by expressing the hope that the work he has begun may continue to be guided by his spirit until peace and union are restored to this land, and until it shall become the bulwark of liberty for all America.

In reply, I have to express to you, sir, the sincere and grateful appreciation of the sentiments of sympathy and condolence which the Mexican club of New York has been pleased to manifest to this government and people on this melancholy occasion, and will thank you to convey the same to its very respectable members, and to assure them also of the reciprocal and sincere feelings of good will and benevolence which actuate this government and people toward the government and people of Mexico.

I avail myself of this opportunity to offer to you, sir, and to the members of the Mexican club of New York, the assurances of my very distinguished consideration.

W. HUNTER,
Acting Secretary of State.

Señor Don IGNACIO MEJIA,
Vice-President of the Mexican Club of New York, New York.

No. 8.

Mr. Romero to Mr. Seward.

(Private) WASHINGTON, *June* 30, 1865.

MY DEAR SIR: I have the pleasure to enclose to you a copy of an extract from a private letter that I have just received from President Juarez, dated at the city of Chihuahua on the 11th of May last, requesting me to pay you a private visit in his name, to express to you his profound regret for the assassination of President Lincoln, and the great tribulations you have personally suffered. Had he known of the last and very great misfortune that you have

just experienced, his sympathy for you, I have no doubt, would have been still deeper.

As the condition of your health does not allow you as yet to receive calls, as I understand, I use this means to comply with President Juarez's request. I avail myself of this opportunity to express to you, too, how sincerely I am rejoiced at seeing yourself and son recovered from your wounds, and how truly I join you in your grief for the great loss that yourself and family have just experienced.

I am, my dear sir, very respectfully, your most obedient servant,

M. ROMERO.

Hon. WILLIAM H. SEWARD, *&c.*

[Enclosure No. 1.—Translation.]

CHIHUAHUA, *May* 11, 1865.

MY DEAR FRIEND: * * * We also received the day before yesterday the news of the total defeat of the confederate army on the 9th of April. The great pleasure this news afforded us was marred by the very sad impression which the shocking intelligence of President Lincoln's assassination produced upon us. That great misfortune has profoundly impressed me, as Mr. Lincoln, who worked with so much earnestness and abnegation for the cause of nationality and freedom, was worthy of a better fate than the poniard of a coward assassin. I do most earnestly hope that Mr. Seward's wounds would not be mortal, and that his son, too, may have been saved. I beg of you to pay a private visit to Mr. Seward in my name, expressing to him my grief for the misfortunes befallen upon him, and my best wishes for his speedy and complete recovery.

* * * * * * * *

BENITO JUAREZ.

Señor Don MATIAS ROMERO.

No. 9.

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,
Washington, July 18, 1865.

SIR: I have the honor to acknowledge the receipt of your private note of the 30th ultimo, together with the extract enclosed therein from a private note received by you from President Juarez, dated at Chihuahua, May 11 last.

I beg to assure you, in reply, that the sentiments of sympathy expressed by yourself and the very worthy President of the Mexican republic on the occasion of the death of our lamented and justly honored Chief Magistrate, Abraham Lincoln, and of the hopes entertained by your President for the speedy recovery of myself and son, are fully appreciated; and I pray you, sir, to be pleased to convey to President Juarez my warm acknowledgments for the very kind manner in which he has been pleased to instruct you to make known to us his grief and sorrow at the calamities which have been visited upon our country.

I am, sir, very truly, your obedient servant,

WILLIAM H. SEWARD.

Señor MATIAS ROMERO, *&c.*, *Washington, D. C.*

No. 10.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,
Washington, 20th of July, 1865.

MR. SECRETARY: Immediately that the government of the Mexican republic received the official intelligence of the very deplorable events which took place in this city about the middle of the previous month of April, it addressed a circular, dated from the city of Chihuahua, on the 16th of May last, in which, with the view of adopting manifestations of the public grief for that sad occurrence, the President of the republic ordered the national flag to be displayed at half-mast upon all the public buildings and at all the military posts on the day subsequent to the receipt of the said circular, and that all the authorities, functionaries, and employés, both civil and military, should clothe themselves in mourning for the space of nine days.

I have the honor to transmit to you, under instructions to that effect from my government, a copy of number 91 of the official journal of Chihuahua, under date of the 16th of said month of May, in which that circular was published.

I avail myself of this occasion to renew to you, Mr. Secretary, the assurances of my very distinguished consideration.

M. ROMERO.

Hon. WILLIAM H. SEWARD, *&c.*

[Enclosure No. 1.—Translation.]

[Official.]

DEPARTMENT OF FOREIGN RELATIONS AND GOVERNMENT.—DEPARTMENT OF GOVERNMENT, FIRST BUREAU.

[Circular.]

The official confirmation has been received that the President of the United States of America, Abraham Lincoln, died at Washington, at seven o'clock and twenty-two minutes, on the morning of the 15th day of April last, in consequence of the wound inflicted upon him by an assassin at half past nine o'clock on the previous night. The deplorable end of President Lincoln is a cause of great regret to the government of the Mexican republic, and to all its good citizens, by reason of his eminent personal qualities, and because, during his administration, the government of the United States has continued in the most friendly relations with that of the Mexican republic in the difficult state of the affairs thereof.

With the view that the manifestations of the public sorrow for that sad event may be adopted, the citizen President directs that the national flag be hoisted at half-mast upon all the public buildings and at all the military stations during the day subsequent to the reception of this circular, and that all the authorities, functionaries, and employés, both civil and military, clothe themselves in mourning during nine days.

Independence and liberty! Chihuahua, May 16, 1865.

LERDO DE TEJADA.

The Citizen GOVERNOR *of the State of* ———.

No. 11.

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,
Washington, November 6, 1865.

SIR: I have the honor to acknowledge the receipt of your note of July 20, 1865, transmitting to me, by instructions from your government, a copy of the "official journal of the constitutional government of the Mexican republic," (No. 91,) published at Chihuahua, which contains the circular of the minister for foreign affairs, Señor Lerdo de Tejada, dated May 16, 1865, issued by authority of the President of Mexico, to all the governors of the States of that republic, in which it is ordered that the national flag be displayed at half-mast upon all the public buildings and at all the military posts on the day subsequent to the receipt thereof, and that all the authorities, functionaries, and employés, both civil and military, of the republic shall clothe themselves in mourning for the space of nine days, in token of the grief of the Mexican nation for the sad event which transpired in this city in April last, resulting in the death of Abraham Lincoln, the late President of the United States. These manifestations of the deep sorrow of the Mexican government and people at the loss which our country so profoundly mourns are sincerely appreciated by this government and its citizens. Nothing less was to be expected from Mexico; nothing more could have been done by her worthy President.

I will, therefore, thank you, sir, to communicate this reply to your government, and to accept for yourself the assurances of my most distinguished consideration.

WILLIAM H. SEWARD.

Señor MATIAS ROMERO, &c., *Washington, D. C.*

No. 12.

Mr. Romero to Mr. Seward.

[Translation]

MEXICAN LEGATION TO THE UNITED STATES OF AMERICA,
New York, 8th of November, 1865.

MR. SECRETARY: I have the honor of receiving to-day the note you was pleased to address to me on the 6th instant, acknowledging the receipt of mine to your department of the 20th of July last, enclosing a copy of the circular of Mr. Lerdo de Tejada, minister of foreign affairs of the republic of Mexico, addressed on the 16th of May last, by presidential order, to State governors, commanding them to have the national flag hoisted at half-mast on all public buildings and military posts the day after the reception of the circular, and that all the employés of the republic, both civil and military, should wear mourning for nine days in token of the Mexican nation's grief for the sad event that occurred in Washington, on the 14th of April last, causing the death of Abraham Lincoln, late President of the United States.

You also inform me that these expressions of profound sorrow from the government and people of Mexico are greatly appreciated by the government and people of the United States, who could expect neither more nor less from the President of Mexico; and you conclude by requesting me to communicate your reply to my government.

In fulfilment thereof, I have the honor to inform you that I will send a copy of your note to Mr. Lerdo de Tejada this very day; and, at the same time, I take the occasion of expressing to you Mr. Secretary, the assurances of my most distinguished consideration.

M. ROMERO.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

No. 13.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION TO THE UNITED STATES,
New York, 14th of September, 1865.

MR. SECRETARY: I have the honor to remit to you a copy of No. 95 of the "official newspaper of the government of the State of Tabasco," of the 20th July last, which came to my hands a short time since, in which you will see the congratulation which the governor of that State addressed on that same date of July to the consul of the United States at San Juan Bautista on the termination of the civil war in this country, manifesting at the same time his sorrow for the assassination of President Lincoln.

It is satisfactory to me to send you this communication as proof of the sympathies which the Mexican people have for the people of the United States; of the sorrow with which they heard of their misfortunes, and of the rejoicing with which they celebrate their victories; well understanding that circumstances had become so complicated that the fate of the two peoples might be considered as identified, and that events favoring the United States could not be less than favorable to the cause of Mexican nationality.

I avail of this occasion to renew to you, Mr. Secretary, the assurances of my most distinguished consideration.

M. ROMERO.

Hon. WILLIAM H. SEWARD, *&c.*

[Enclosure No. 1.—Translation.]

[From the Boletin Oficial of Tabasco, vol. 1, No. 95, July 20, 1865.]

MEXICAN REPUBLIC, POLITICAL AND MILITARY
GOVERNMENT OF THE STATE OF TABASCO,
San Juan Bautista, July 4, 1865.

MR. CONSUL: The kindred people of this continent, united in the lovely bonds of democracy, ought to share mutually in its joys and its sorrows. For this reason Mexico will ever deplore the unfortunate event of the 14th of April last, the death of the illustrious champion of liberty, in the city of Washington. For this reason will Mexico forget her past misfortunes, in the midst of her present trials, and congratulate the great and heroic people of the United States on this day of glorious memory.

Accept, then, Mr. Consul, on this day—the anniversary of that auspicious day when your ancestors proclaimed their independence in the city of Philadelphia—my sincere congratulations, as a private individual, and as the representative of this State, of whose sympathies I believe myself, on this occasion, the most faithful interpreter.

Accept also, in the name of your government, the demonstrations of esteem and good will from the garrison of this place, who have kindred sentiments, and trust that Mexico in general, and Tabasco in particular, will be worthy members of the great democratic family that people the world of Columbus, in spite of the mean strategy now used to divide us.

I make vows to Providence for the happiness of the United States, and pray that the peace the great republic has just conquered at such a great sacrifice may last long, for the good of humanity.

You will please accept, on this account, the assurances of my personal esteem and consideration.

Republic and liberty! San Juan Bautista, 4th of July, 1865.

G. MENDEZ.

LEON ALEJO TORRE, *First Officer.*

B. N. SANDERS,
Consul of the United States at this port, Present.

[Enclosure No. 2.—Translation.]

CONSULATE OF THE UNITED STATES,
San Juan Bautista, July 4, 1865.

SIR: As the accredited agent of my government at this capital, I give you my most sincere thanks for the eloquent and expressive homage offered in your communication of this morning to the memory of our deceased and patriot President, who fell beneath the hands of that most ignoble of criminals—an assassin; and at the same time, as a citizen of the United States, and in the name of that people, I give thanks to you, and through you to all the citizens of this State who may favor the democratic constitutional system, sincerely felicitating them on the anniversary of our national independence.

Let it be permitted to me to assure your excellency, that with sentiments of the purest gratification and infinite satisfaction I will make known to the government at Washington that Mexico, forgetting on this day her misfortunes and calamities, sends her on the wings of the morning fresh proofs of her brotherly friendship, and reminds her once more, in the midst of her afflictions and calamities, of her eternal attachment to democratic principles.

It is very proper that two sister republics of the New World should rejoice on the happy termination of our giant war, as it must be admitted that if the integrity and unity of our republic had been destroyed, ten years would not elapse ere the new hemisphere would again fall under the domination of the Old World. This day, throughout all the circuit of the United States, the grandest spectacle ever witnessed by man is gazed on with admiration. A nation of thirty millions of inhabitants, who were yesterday at war among themselves, pardoning and forgetting the animosities engendered by civil war, this day reunite in their respective cities and districts unanimously cheering in solemn utterances, which will resound forever; and as the rainbow is a witness of harmony between earth and heaven, so will this day be held by all the people of the United States as a guarantee of peace between east and west, north and south, by all generations to come.

Let us, then, rejoice on the complete restoration of the Union, which, by affixing the seal of experience to the declarations of the wise men who eighty-nine years ago laid the foundation-stone of the great transatlantic republic, demonstrates to the universe that our system of government can sustain, and remain unhurt, assaults which would destroy the very foundation of any nation not based upon democratic principles. Let us rejoice, therefore, in the triumph of the indestructible Constitution in its pristine vigor, for it has opened a new era in the

history of republican government, vindicating it against the bitter jeering of the monarchists of the Old World who idly hoped we would perish ignominiously in our civil war a short time ago raging with incomparable fury.

Let us thrice three times rejoice in the glorious proofs of the last years, because they, in union with the precious revolutionary memories of 1776, have added more splendor and fame to this day as one of those of jubilee for the defenders of liberty and of progress throughout the world, because another morning dawns advancing towards high noon.

May God protect and defend the republics of the New World.

Please to accept the expression of my most distinguished consideration and respect.

B. N. SANDERS.

C. GREGORIO MENDEZ,
Governor of the State of Tabasco, Present.

No. 17.

THE PERSONAL EFFECTS OF GENERAL COMONFORT.

List of papers.

No. 1. Mr. Romero to Mr. Seward, (with two enclosures)..... Oct. 31, 1865.
No. 2. Mr. Seward to Mr. McCulloch..... Nov. 9, 1865.
No. 3. Mr. Chandler to Mr. Seward..... Nov. 9, 1865.
No. 4. Mr. Seward to Mr. Romero..... Nov. 11, 1865.

No. 1.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION TO THE UNITED STATES OF AMERICA,
Washington, 31st of October, 1865.

MR. SECRETARY: I have the honor to remit to you copy of a letter addressed to me by Messrs. Avendaño Bros. of New Orleans, under date of 21st instant, and of the document annexed to it, soliciting my good offices that the government of the United States may permit the export from New Orleans (without examination) of some packages which contain the effects of the deceased General Don Ignacio Comonfort, of the Mexican army, who died lately in the war Mexico is maintaining with France in defence of her independence. If this be possible, I would be very glad that the proper orders should be issued to the custom-house at New Orleans by the Treasury department.

I avail of this opportunity to renew to you, Mr. Secretary, the assurances of my very distinguished consideration.

M. ROMERO.

Hon. WILLIAM H. SEWARD, *&c.*

[Enclosure No. 1.]

NEW ORLEANS, *October* 21, 1865.

SIR: Having been instructed by the testamentary executors of the late General Ignacio Comonfort to remit to Mexico the personal effects of said general, left by him in this city in June, 1861, we beg to request your excellency to obtain an order from the government of the United States, to the effect that said baggage may be shipped to Vera Cruz without being examined by this custom-

house. The packages are all locked, the keys having been taken by General Comonfort on his departure for Mexico. It is our earnest desire that these effects should be delivered to the family of the deceased in the same order and good condition as they were received, to satisfy the parties interested.

The baggage to which we refer is marked and numbered as follows:

G. y. y.—M. M. 1. T,. two cases.
J. C. 3. one trunk.
J. C. 4. & 8, two trunks.
J. C., one box, leather cover.
No mark, one trunk.
Stanislas Cañedo, one small trunk, (the mark on a card.)

} As per note enclosed.

In all eight packages of different dimensions.

We are, with the highest consideration, your most obedient servants,

AVENDAÑO, BROS.

His Excellency MATIAS ROMERO,
Envoy Extraordinary and Minister Plenipotentiary of the Republic of Mexico, Washington, D. C.

A true copy:

F. D. MACIN.
2d Secretary of the Legation.

WASHINGTON, *October* 31, 1865.

[Enclosure No. 2.]

List of the trunks and boxes left in my care the 3d of June, 1861, by Mr. J. Comonfort, when he left New Orleans for Brownsville, Texas, on a schooner for the Rio Grande.

G. Y. y.—M. M. A., I. T., No. 1, one box.
Y. C. No. 2, one box.
Y. C. No. 3, one trunk.
Y. C. No. 4, one trunk.
Y. C. No. 8, one trunk.
J. C. (no number,) one box.
One trunk, without mark or number.
One small trunk, with the card of Stanislas Cañedo upon it.

In all eight packages of different dimensions, which I have delivered to Messrs. Avendaño Bros., by order of Mr. M. Siliceo, of Mexico, in a letter of the 9th September, 1864, styling himself testamentary executor of Mr. Y. Comonfort.

A. LESSEPS.

NEW ORLEANS, *November*, 1864.

A true copy:

F. D. MACIN.
2d Secretary of the Legation.

WASHINGTON, *October* 31, 1865.

No. 2.

Mr. Seward to Mr. McCulloch.

DEPARTMENT OF STATE,
Washington, November 9, 1865.

SIR: Mr. Romero, the minister of Mexico, has addressed a note to this department requesting that the personal effects of the late General Don Ignacio

Comonfort, the ex-president of the Mexican republic, may be exported from the port of New Orleans and shipped to Vera Cruz, Mexico, without being examined by the custom-house officers of New Orleans.

I enclose herewith a copy of the letter of Messrs. Avendaño Brothers, of New Orleans, dated the 21st ultimo, which fully explains the object of their request, submitted by the minister of Mexico to this department.

Should there exist a regulation requiring the previous examination of similar effects, I will thank you to cause the same to be dispensed with in the present instance.

I have the honor to be, sir, your obedient servant,

WILLIAM H. SEWARD.

Hon. HUGH MCCULLOCH,
Secretary of the Treasury.

No. 3.

Mr. Chandler to Mr. Seward.

TREASURY DEPARTMENT,
November 9, 1865.

I have the honor to acknowledge the receipt of your communication of this date, informing me that Mr. Romero, the minister of Mexico, has addressed a note to your department requesting that the personal effects of the late General Don Ignacio Comonfort, the ex-president of the Mexican republic, may be exported from the port of New Orleans and shipped to Vera Cruz, Mexico, without being examined by the custom-house officers of New Orleans.

I am not aware of any regulation requiring the examination, previous to shipment, of personal effects, but in order to guard against any embarrassment, I will instruct the collector to offer no obstacle to the exportation of the "eight packages of different dimensions" referred to in the letter of Messrs. Avendaño Brothers, a copy of which you have enclosed in your letter.

I am, very respectfully, yours,

WILLIAM E. CHANDLER,
Acting Secretary of the Treasury.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

No. 4.

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,
Washington, November 11, 1865.

SIR: I have had the honor to receive your note of the 1st instant, with its two enclosures, in which you request that the personal effects of the late General Don Ignacio Comonfort may be exported from New Orleans to Vera Cruz, without previous inspection by the custom-house officers at the former port.

In reply, I have the honor to transmit you a copy of a letter from the Treasury Department of the 9th instant, to which the subject was referred, and from which you will perceive that the proper instructions have been issued to comply with your request.

I avail myself of this occasion to renew to you, sir, the assurances of my most distinguished consideration.

WILLIAM H. SEWARD.

Señor MATIAS ROMERO, *&c., Washington, D. C.*

No. 18.

EXEQUATURS GRANTED TO UNITED STATES CONSULS.

List of papers.

No. 1. Mr. Seward to Mr. Romero ..... Oct. 14, 1864.
No. 2. Mr. Romero to Mr. Seward ..... Oct. 15, 1864.
No. 3. Mr. Romero to Mr. Seward, (with two enclosures(.... Feb. 1, 1865.
No. 4. Mr. Seward to Mr. Romero ..... Feb. 7, 1865.
No. 5. Mr. Romero to Mr. Seward ..... Feb. 7, 1865.
No. 6. Mr. Hunter to Mr. Romero ..... June 24, 1865.
No. 7. Mr. Romero to Mr. Hunter ..... June 24, 1865.
No. 8. Mr. Romero to Mr. Seward, (with three enclosures) .. Sept. 19, 1865.
No. 9. Mr. Seward to Mr. Romero ..... Mar. 13, 1866.
No. 10. Mr. Romero to Mr. Seward ..... Mar. 14, 1866.

No. 1.

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,
Washington, October 14, 1864.

SIR: I have the honor to enclose herewith the commission of E. Dorsey Etchinson, esq., who has been recently appointed by the President the consul of the United States of America to the port of Matamoras, in Mexico, and to request of you the favor of procuring for him the exequatur of his excellency the President of the republic of Mexico authorizing him to exercise consular functions at that port.

I have further to request that this commission and exequatur desired for Mr. Etchinson may be forwarded to him, when obtained, at Matamoras.

I avail myself of this occasion to renew to you, sir, the assurances of my most distinguished consideration.

WILLIAM H. SEWARD.

Señor MATIAS ROMERO,
Envoy Extraordinary and Minister Plenipotentiary of the Republic of Mexico, Washington, D. C.

No. 2.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,
Washington, 15th of October, 1864.

MR. SECRETARY: I have had the honor to receive the note which you were pleased to address to me, under date of yesterday, enclosing to me the commission of consul of the United States for the port of Matamoras, in the Mexican republic, issued in behalf of Mr. E. Dorsey Etchinson, requesting me to solicit the exequatur for said commission from the President of the Mexican republic, and that when said document is obtained, it be transmitted with the commission to Mr. Etchinson at Matamoras.

In reply, I have the honor to inform you that, acceding with pleasure to the

wishes which you are pleased to manifest to me, I shall transmit the commission referred to, by the first opportunity that presents itself, to the city of Chihuahua, the present residence of the Mexican government, recommending that it be sent with the exequatur to the party interested.

I avail myself of this occasion to reproduce to you, Mr. Secretary, the assurances of my most distinguished consideration.

M. ROMERO.

Hon. WILLIAM H. SEWARD, *&c.*

No. 3.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,
Washington, 1st of February, 1865.

MR. SECRETARY: In conformity with your request of the 14th of October last, to ask of the President of the Mexican republic an exequatur to the commission of E. Dorsey Etchinson, as United States consul in Matamoras, I sent the note, of which I enclose a copy, to the minister of foreign relations of that republic, as I informed you in my communication of the 15th of last October.

Before my note had started to the city of Chihuahua, Mr. Etchinson came to the legation here and told me he could send my communications safely to my government, and requested me to give them to him for that purpose. I did so, and shortly after sent a duplicate of my note to Chihuahua. Last night I received the answer from my government, dated Chihuahua, 20th December last, of which I also send you a copy. It seems from this that the duplicate of my note only had reached its destination, but that was sufficient for the President of the United States of Mexico to issue the desired exequatur.

As Matamoras is now held by the French, and, of course, not accessible to me, I enclose you the original exequatur, that you may send it to Mr. Etchinson, as you may think it proper. I also enclose the note in which the department of foreign relations informs the governor of the State of Tamaulipas that the exequatur has been properly granted.

As I have no copy of Mr. Etchinson's commission, I beg of you to have the kindness to send me one to send to my government, according to the request of Mr. Lerdo de Tejada, in the note of which I remit you a copy.

I take this opportunity to renew to you, Mr. Secretary, the assurances of my most distinguished consideration.

M. ROMERO.

Hon. WILLIAM H. SEWARD, *&c.*

[Enclosure No. 1.—Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,
Washington, October 15, 1864.

SIR: I have the honor of transmitting to you a copy and translation of a note I received yesterday from the Department of State, with the United States consular commission to Matamoras granted to Mr. E. Dorsey Etchinson, requesting me to ask the corresponding exequatur from my government authorizing Mr. Etchinson to act as consul in Matamoras, and to have both the commission and exequatur sent to him there.

I have answered Mr. Seward in the manner you will see from a copy of the enclosed note, and I also send the commission before mentioned to your department for the purposes specified. * * * *

I reiterate the assurances of my distinguished consideration.

M. ROMERO.

The MINISTER OF FOREIGN RELATIONS, *Chihuahua.*

A true copy:

F. D. MACIN,
Second Secretary of the Legation.

WASHINGTON, *February* 1, 1865.

[Enclosure No. 2.—Translation.]

No. 4.] DEPARTMENT OF FOREIGN RELATIONS AND GOVERNMENT,
National Palace, Chihuahua, December 20, 1864.

SIR: In compliance with your note of the 15th of October last, No. 270, the President of the republic ordered the exequatur, which I now send you, to be made out for Mr. E. D. Etchinson, appointed consul for the port of Matamoras by his excellency the President of the United States. As Mr. Etchinson's commission, to which your note refers, has not reached me, and as the government is now fixed in this city, I have thought it best to send you the exequatur and official note to the governor of the State of Tamaulipas, as you may have a better opportunity to transmit them to their address. As there is now no necessity of sending Mr. Etchinson's commission to this department, it would be well to send me a copy of it before the original is sent to him.

Accept the protests of my attentive consideration.

LERDO DE TEJADA.

Citizen MATIAS ROMERO,
Envoy Extraordinary and Minister Plenipotentiary of the Mexican Republic in Washington.

A true copy:

F. D. MACIN,
Second Secretary of Legation.

WASHINGTON, *February* 1, 1865.

No. 4.

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,
Washington, February 7, 1865.

SIR: I have had the honor to receive your note of the 1st instant, together with the enclosures you were pleased to accompany therewith, touching the exequatur of Mr. E. Dorsey Etchinson, who, in October last, was appointed consul of the United States for the port of Matamoras.

I have, in reply, to express to you my sincere thanks for the kindness and promptness with which you have acceded to the wishes of the government in procuring the exequatur referred to, and I have also further to request you to make known to Señor Lerdo de Tejada, the minister for foreign affairs of Mexico, my appreciation of the readiness and courtesy shown by him in issuing the exequatur to Mr. Etchinson, which you have transmitted with your note.

I have now the honor to inform you, that prior to the receipt of your communication, the President had deemed it proper to revoke the appointment of Mr.

Etchinson, and to appoint in his stead Mr. Amze Wood as commercial agent of the United States, to reside at Matamoras. I therefore return to you the exequatur for Mr. Etchinson, and the letter to the governor of Tamaulipas, which, in view of the disposition made with respect to the consulate at Matamoras, it would seem proper should be returned to your government.

Regretting that I should have caused you so much and unnecessary trouble in this connexion, I avail myself of this opportunity to repeat to you my sincere obligations, and to renew the assurances of my very distinguished consideration.

WILLIAM H. SEWARD.

Señor MATIAS ROMERO, *&c., Washington, D. C.*

No. 5.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,
Washington, 7th of February, 1865.

MR. SECRETARY: I have the honor to acknowledge t e receipt of your note of to-day, in answer to mine of the 1st instant, transmitting to your department the exequatur granted to the commission of E. Dorsey Etchinson by the Mexican government, as consul of the United States at the port of Matamoras, in the Mexican republic, in which note you return me the exequatur and a communication to the governor of Tamaulipas on that subject, on account of the recall of Mr. Etchinson, and the appointment of Mr. A. Wood as United States commercial agent at that port.

In conformity with your request I transmit a copy of your note to Mr. Lerdo de Tejada, minister of foreign relations of the Mexican republic.

I take this occasion to renew to you, Mr. Secretary, the assurances of my most distinguished consideration.

M. ROMERO.

Hon. WILLIAM H. SEWARD, *&c.*

No. 6.

Mr. Hunter to Mr. Romero.

DEPARTMENT OF STATE,
Washington, June 24, 1865.

SIR: I have the honor to enclose to you the commission of Reuben W. Creel, esq., who has been appointed consul of the United States of America, for the city of Chihuahua, in the republic of Mexico, and to request your kind offices in obtaining from the President of Mexico the exequatur necessary to enable him to exercise the functions of consul in that city.

Mr. Creel being at this time in the city of Chihuahua, I have further to request that you will be pleased to make known to your government that the commission and the corresponding exequatur may be delivered to him at his post.

I avail myself of this opportunity to offer to you, sir, the assurances of my very distinguished consideration.

W. HUNTER,
Acting Secretary.

Señor MATIAS ROMERO, *&c., Washington, D. C.*

No. 7.

Mr. Romero to Mr. Hunter.

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,
Washington, 24th of June, 1865.

MR. ACTING SECRETARY: Your note of to-day, containing the commission of Mr. Reuben W. Creel, as United States consul to Chihuahua, in the republic of Mexico, and requesting me to ask the necessary exequatur of the President of Mexico, and to send it, with the commission, to Mr. Creel, now residing in Chihuahua, has reached me.

I will send the commission and a copy of the note I now answer to my government, and you may rest assured that your requests will be complied with without delay.

I embrace the occasion to renew to you, sir, the assurances of my distinguished consideration.

M. ROMERO.

Hon. WILLIAM HUNTER, *&c., Washington, D. C.*

No. 8.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,
New York, 19th of September, 1865.

MR. SECRETARY: As the result of the note which you were pleased to address to me under date of June 24 last, sending me the commission of consul of the United States of America at Chihuahua, issued by the President of these States in favor of Mr. Reuben W. Creel, recommending that I should ask for the exequatur for said commission from the constitutional President of the Mexican republic, I have now the honor to send you a copy of a note marked No. 296, dated at the city of Chihuahua the 3d of August last past, in which Mr. Lerdo de Tejada, minister for foreign relations of the Mexican republic, communicates to me that he received such commission; that the President of the republic issued on the same day the exequatur; that it was sent to him at once, together with the commission—that is, to Mr. Creel—in conformity with the recommendation you were pleased to make to me in your above cited note.

I also enclose to you, in conformity with instructions from my government, copy of the exequatur and of the note with which said documents were remitted to Mr Creel.

It is very agreeable to me to have this opportunity to renew to you, Mr. Secretary, the assurances of my most distinguished consideration.

M. ROMERO.

Hon. WILLIAM H. SEWARD, *&c.*

[Enclosure No. 1.—Translation.]

DEPARTMENT OF FOREIGN RELATIONS AND OF GOVERNMENT.

No. 296.] NATIONAL PALACE, *Chihuahua, August* 3, 1865.

With your note No. 297 of 24th of June of this year, and its annexes, I have to-day received the commission appointing Mr. Reuben W. Creel as consul of

the United States in this city of Chihuahua which the Department of State sent you at that date, asking the exequatur should be issued by the government of the republic, and that when granted, it should be delivered with the commission to Mr. Creel, who resides in this city.

You will see in the two copies which I send you, and you will please communicate to that government, that the President of the republic issued to-day the exequatur, and that it has been sent with the commission to Mr. Creel, that he may exercise his consular functions.

I assure you of my very respectful consideration.

LERDO DE TEJADA.

Citizen MATIAS ROMERO,
Envoy Extraordinary and Minister Plenipotentiary of the Mexican Republic at Washington.

A copy:

IGNO. MARISCAL, *Secretary.*

NEW YORK, *September* 19, 1865.

[Enclosure No. 2.—Translation.]

BENITO JUAREZ, CONSTITUTIONAL PRESIDENT OF THE UNITED MEXICAN STATES.

To all to whom these presents shall come:

Know ye, that inasmuch as the President of the United States of America has thought proper to issue to Mr. Reuben W. Creel, on the 18th of May, one thousand eight hundred and sixty-four, the commission appointing him to be consul of the United States in this city of Chihuahua, which commission has been sent by the Department of State of the said United States to the legation of the Mexican republic at Washington, with a note of the 24th of June of this year asking that the government of the republic should grant the customary exequatur:

Therefore, it is accorded that the present exequatur be extended to Mr. Reuben W. Creel, that he may exercise his functions as consul of the United States in this city of Chihuahua, reserving to him the considerations and prerogatives correspondent with that office in conformity with the laws.

Given at Chihuahua the third of August, one thousand eight hundred and sixty-five, the fifty-fifth of the independence of the Mexican republic.

BENITO JUAREZ.

S. LERDO DE TEJADA,
Minister of Foreign Relations.

Registered in this department.

JUAN VALDEZ.

CHIHUAHUA, *August* 3, 1865.

A copy:

IGNO. MARISCAL, *Secretary.*

NEW YORK, *September* 19, 1865.

[Translation.]

NATIONAL PALACE, *Chihuahua, August* 3, 1865.

With a note of 24th of June of this year, addressed by the Department of State of the United States to the legation of the Mexican republic at Washington, your commission as consul of the United States in this city of Chihuahua was sent, asking the government of the republic to issue its exequatur, and that

as soon as granted it should be delivered to you with the commission from the circumstance of your residence in this city.

The President of the republic having conceded that the exequatur should be extended, I send it to you with the commission aforesaid.

I assure you of my very respectful consideration.

LERDO DE TEJADA.

Mr. REUBEN W. CREEL,
Consul of the United States at Chihuahua.

Copy:

JUAN VALDEZ.

CHIHUAHUA, *August* 3, 1865.

Copy:

IGNO. MARISCAL, *Secretary.*

NEW YORK, *September* 19, 1865.

No. 9.

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,
Washington, March 13, 1866.

SIR: I have had the honor to receive your note of the 19th of September last, with its three enclosures, in reference to the exequatur solicited by this department on the 24th of June, 1865, in behalf of Reuben W. Creel, esq., who was then appointed consul of the United States for the city of Chihuahua, and informing me that the same had been issued and delivered to him by order of the President of the Mexican republic.

You will permit me, in reply, to express to you my thanks for the promptness with which you have acted in acceding to the request of this department, and in procuring the exequatur referred to. I would further request you to convey to Señor Lerdo de Tejada, the minister for foreign affairs of Mexico, the appreciation of the government of the United States for the courtesy extended in so readily issuing the exequatur to Mr. R. W. Creel.

I avail myself of this occasion to renew to you, sir, the assurances of my very distinguished consideration.

WILLIAM H. SEWARD.

Señor MATIAS ROMERO, *&c.*,
Washington, D. C.

No. 10.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION TO THE UNITED STATES,
Washington, 14th of March, 1866.

MR. SECRETARY: I have had the honor to-day to receive your note of yesterday, acknowledging the reception of mine of the 19th of September, 1865, informing you that the President of the Mexican republic had granted his exequatur to the commission issued by the President of the United States to Mr. Reuben C. Creel, appointing him consul of the United States in the city of Chihuahua, according to your recommendation, and requesting me to inform Mr. Lerdo de

Tejada, minister of foreign relations of Mexico, of the satisfaction of the United States at the prompt and cordial manner in which he granted the exequatur.

I have the honor to say to you, in reply, that, in conformity to your wishes, I send a copy to-day of the said note to Mr. Lerdo de Tejada, minister of foreign relations of the Mexican republic.

I avail myself of the occasion to repeat to you, Mr. Secretary, the assurances of my most distinguished consideration.

M. ROMERO.

Hon. WILLIAM H. SEWARD, &c.

No. 19.

THE CASE OF THOMAS DWYER.

List of papers.

No. 1.	Mr. Dwyer to Mr. Seward	July	30, 1864.
No. 2.	Mr. Seward to Mr. Dwyer	Aug.	5, 1864.
No. 3.	Mr. Seward to Mr. Romero, (with three enclosures)	Aug.	5, 1864.
No. 4.	Mr. Romero to Mr. Seward	Aug.	30, 1864.
No. 5.	Mr. Romero to Mr. Seward, (with two enclosures)	March	25, 1865.
No. 6.	Mr. Seward to Mr. Romero	Nov.	1, 1865.

No. 1.

Mr. Dwyer to Mr. Seward.

NEW YORK, *July* 30, 1864.

DEAR SIR: I should be glad to receive any information that the department may be pleased to communicate to me in relation to the four thousand (4,000) dollars, American gold, taken from me by the Mexican authorities at the mouth of the Rio Grande river on the 26th day of last May, and when a refugee from Texas, and on my way to New York.

I am, very respectfully,

THOMAS DWYER.

Hon. SECRETARY OF STATE,
Washington City.

No. 2.

Mr. Seward to Mr. Dwyer.

DEPARTMENT OF STATE,
Washington, August 5, 1864.

SIR: In reply to your letter of the 30th ultimo, I have to inform you that measures will be adopted by this department with the view of recovering the four thousand dollars seized by the Mexican custom-house officers of the port of Matamoras, in Mexico, owing to the unintentional infraction by you of some of the revenue laws or custom-house regulations thereof, as stated in your affidavit filed at this department, and dated June 23, 1864.

The good offices of Mr. Romero, the minister of Mexico, will be invoked in your behalf, inasmuch as the anomalous condition of affairs in Mexico does not at this time warrant a direct appeal to President Juarez, and in the temporary absence of the United States minister from that republic.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

THOMAS DWYER, Esq., *New York.*

No. 3.

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,
Washington, August 5, 1864.

SIR: I have the honor to transmit to you three documents which have reference to the seizure of the sum of four thousand dollars, in American coin, by the custom-house authorities of the port of Matamoras from Mr. Thomas Dwyer, a loyal citizen of the United States, and a refugee from the State of Texas at the period this seizure occurred.

In the affidavit of Mr. Dwyer, which is enclosed, the facts relating to this transaction are fully and succinctly detailed, so that I shall limit myself to the invoking of your good and friendly offices with the executive of Mexico, from whose well-known high sense of justice I entertain the hope that the request of Mr. Dwyer, under the circumstances mentioned, will receive the most favorable consideration, and result in the speedy restoration to him of the said sum of four thousand dollars.

Not doubting that you will present this subject to President Juarez in its proper light, I avail myself of this opportunity to tender to you, sir, a renewal of my most distinguished consideration.

WILLIAM H. SEWARD.

Señor MATIAS ROMERO, *&c., New York.*

No. 1.

NEW YORK, *June* 25, 1864.

DEAR SIR: Permit me to introduce the bearer, Mr. Thomas Dwyer, of Brenham, Texas. Mr. D. was an old friend and customer of my firm. I esteem him highly honorable and truthful. Any statement he makes to you can be relied upon. He will state his business frankly; and if it is in your power to aid him I trust you will do it. I said to him I thought you could introduce him to the right man to present his case.

And very much oblige, your obedient servant,

AARON L. REID.

Hon. M. F. ODELL, *Washington.*

Mr. Reid is one of the good men of Brooklyn. His statements are reliable.

Yours, truly,

M. F. ODELL.

Hon. WILLIAM H. SEWARD.

No. 2.

NEW YORK, *June* 25, 1864.

SIR: Permit us to introduce to you Mr. Thomas Dwyer, of Brenham, Texas, who visits the city of Washington that he may gain an interview with the Hon. Secretary of State, and lay before him a grievance received at the hands of the Mexican authorities at Matamoras.

Mr. Dwyer is and has been an outspoken Union man from the beginning, and is now here a refugee because of it.

Any aid you may be able to render to him will be fully appreciated by him as well as by ourselves.

Very respectfully, your obedient servants,

W. A. RANSOM & CO.

Hon. HENRY WILSON.

No. 3.

To his Excellency the President, or the Secretary of State of the United States:

Thomas Dwyer, of Brenham, Washington county, Texas, respectfully represents: That he is a naturalized citizen of the United States; that he has resided in the State of Texas since 1844; that he is a merchant by occupation, and that he has always borne true allegiance to the government of the United States. That about the middle of October, 1863, he learned that a list of 150 persons, or thereabouts, had been made out by the rebel authorities of Texas, including himself, for arrest as Unionists; that immediately upon hearing this fact he took what money he had, amounting to something over five thousand dollars in United States gold coin and some New Orleans bank bills, and started for Mexico. That he arrived at Brownsville on the 27th October, and crossed over into Mexico on the 29th of said month, and stopped at Matamoras, depositing his money with José San Roman, of Matamoras. That said money was afterwards deposited with L. Pierce, the United States consul at that place, where it was kept until he started to come away. That on the 15th day of May, 1864, he took his money from the custody of said consul, and went down to the mouth of the Rio Grande in order to take passage on a vessel bound to Havana, called the "Mary Morgan." That he deposited his money, to the amount of $4,000, with the captain of said vessel; that the same was seized by the Mexican custom-house officers and taken from the custody of said captain, on the allegation that there had been some infraction of the revenue laws of Mexico by me, said Dwyer, in taking coin out of the country without the payment of duties. Said Dwyer further represents that his coin was American coin; that he had no intention of putting the same to use in Mexico; that he was a mere traveller, passing through a small portion of Mexican territory from necessity, and was utterly ignorant of the revenue laws or custom-house regulations of the country, and intended no infraction of the same. Said Dwyer further represents that said United States consul has full knowledge of the facts and circumstances under which said money was taken, and the circumstances under which said Dwyer was compelled to leave the State of Texas.

Said Dwyer respectfully asks the aid of the State Department in obtaining relief against the seizure and detention of his said four thousand dollars.

Dated this 25th day of June, A. D. 1864.

THOMAS DWYER.

Sworn and subscribed before me at Washington, D. C., this 27th day of June, A. D. 1864.

[SEAL.] M. H. N. KENDIG,
Notary Public, 217 *F street.*

No. 4.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,
Washington, 30th of August, 1864.

MR. SECRETARY: I have the honor to acknowledge the receipt of the note which you were pleased to address me under date of the 5th of the month now terminating, soliciting my good and friendly offices with the executive power of Mexico, to the end that he may direct the restitution of the sum of four thousand dollars in gold, of the American coinage, which was confiscated by the custom-house of Matamoras from Mr. Thomas Dwyer, a loyal citizen of the United States, he not having complied with the provisions of the fiscal laws of Mexico, when about to export this money.

The chief clerk of this legation, who, during my absence from Washington, was charged with the receiving of the correspondence which should be transmitted to me from your department, and to send me copy of the same wheresoever I might be, sent me thus your note aforesaid; but, unfortunately, through some irregularity in the mail, it did not reach my hand, and I have only had notice of it this morning, when I returned from New York. I beg you to be pleased to accept this explanation as an excuse for not having sooner replied to your note aforesaid, and complied with the wishes which you express in the same.

I believe that the extenuating circumstances which exist in favor of Mr. Dwyer, and, above all, the interposition and recommendation in his behalf of the government of the United States, will be reasons which will induce the Mexican government, which I this very day inform of this transaction, in the terms in which you recommend it to me, to order the restitution of the money confiscated.

So soon as I shall have received the reply of my government upon this affair I shall have the honor to communicate it to your department, and meanwhile I avail myself of the opportunity to renew to you, sir, the assurances of my most distinguished consideration.

M. ROMERO.

Hon. WILLIAM H. SEWARD, *&c.*

No. 5.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,
Washington, 25th of March, 1865.

MR. SECRETARY: Referring to the note which I had the honor to address to you the 30th of August, in the year 1864, in answer to that which I received from your department dated 5th of same month, in which you solicited my good offices with the executive of Mexico, in order that it might direct the return of the sum of four thousand dollars in gold of American coinage, which had been withheld by the custom-house at Matamoras from Mr. Thomas Dwyer, loyal citizen of the United States, because he had not complied, in the process of exporting that money, with the provisions of the Mexican fiscal regulations, I have now the satisfaction of stating to you that I have received the answer of my government about this affair, and that in it is communicated to me that the President of the republic, in acceding to the recommendation you made to me in your aforesaid note, had been pleased to grant that restitution should be made to Mr. Dwyer of the amount withheld, in the terms you will see in the copy

which I remit of a fragment of the note which, under date of 31st January last, Mr. Lerdo de Tejada addressed to me on this business, and of the document annexed thereto, and the communication addressed by the treasury department of the Mexican republic to Mr. Thomas Dwyer on the 3d February last past, which I send herewith, requesting you will please send them to the parties interested.

I am glad of the satisfactory conclusion of this business, and of the promptitude and good will with which my government attended to your recommendation.

It is pleasant to me to avail of this opportunity to renew to you, Mr. Secretary, the assurances of my distinguished consideration.

M. ROMERO.

Hon. WILLIAM H. SEWARD, *&c.*

[Enclosure No. 1.—Translation.]

No. 49.] DEPARTMENT OF FOREIGN RELATIONS AND GOVERNMENT,
National Palace, Chihuahua, January 31, 1865.

In reference to the statement by you in the duplicate of note 216 of 30th of August last, to which you added copy of the note addressed to you by the Hon. Mr. Seward, dated 5th of same August, and of the documents sent to you, annexed to said note, all relating to the withholding, which the officers of the maritime customs at Matamoras did, of a sum of ($4,000) four thousand dollars in gold coinage of the United States, belonging to Mr. Thomas Dwyer, the President of the republic has directed that through this department there should be sent to that of finance the communication of which I send a copy, to the end that through that department there should be addressed to Mr. Dwyer the communication which I send to you annexed.

Upon the considerations which you presented, if the application of that government had arrived while that of the republic was at Monterey, the return of the amount mentioned by the custom-house at Matamoras would have been ordered at once.

The port being now occupied by the enemy, the government can only make in favor of Mr. Dwyer the declaration of his right to have restitution made, and circumstances do not permit that the government can order it to be made now at this moment. Nevertheless, the declaration has been made in proper terms, so that Mr. Dwyer may consider whether he had better reserve this enduring evidence until the government of the republic can carry its fulfilment into effect, or whether he may think he can make it available with the enemy who now occupy that custom-house in fact, as a recognition of the right in the case, happening when the custom-house was in law and fact under the authority of the government of the republic.

* * * * * * * *

I reiterate to you my respectful consideration.

LERDO DE TEJADA.

Citizen MATIAS ROMERO,
Minister Plenipotentiary of the Mexican Republic at Washington.

A copy: IGNACIO MARISCAL.
WASHINGTON, *March* 25, 1865.

[Enclosure No. 2.—Translation.

DEPARTMENT OF FOREIGN RELATIONS AND OF GOVERNMENT.

The citizen Matias Romero, envoy extraordinary and minister plenipotentiary of the republic at Washington, in note No. 216 of 30th August last, communi-

cated to this department the note which was addressed to the legation by the Secretary of State of the United States, date of 5th of the same month of August, asking restitution to Thomas Dwyer, citizen of the United States, of the sum of four thousand dollars, in American gold, which he was about to export, and which were taken by the officers of the maritime custom-house at Matamoras.

It seems from the documents annexed to the note of the Secretary of State that, in October, 1863, Mr. Dwyer took refuge from the State of Texas in the city of Matamoras, carrying with him a sum exceeding five thousand dollars in American gold coin; that he deposited that sum at first in the house of Don José San Roman, merchant of that place, and afterwards in the hands of Mr. Pierce, consul of the United States in that city; that afterwards, when going to sail for the Havana in a vessel called Mary Morgan, he took his cash in said coinage on the 15th May, 1864, carrying it on board that vessel and leaving it in the hands of the captain, to the amount of four thousand dollars; that there it was taken by the officers of the customs at Matamoras, alleging an infraction of the fiscal laws of Mexico for having intended to take off coined money without paying the export duties, and that Mr. Dwyer attempted to ship it, disregarding entirely the fiscal laws of Mexico, and not presuming they could be applicable to a quantity of American gold coin, which, in his character of refugee, he had brought and deposited for the sole purpose of meeting his expenses.

The citizen President has resolved to decree the right of Mr. Dwyer to the restitution of these four thousand dollars, and, in virtue thereof, has provided that you may please to communicate this to him; that having taken into consideration the statement in said note of his excellency the Secretary of State of the United States, and the documents annexed to it, the right of Mr. Dwyer is declared, that there may be returned to him, by the maritime custom-house at Matamoras, the sum of four thousand dollars which the officers of that custom-house took on board the vessel Mary Morgan, where the party interested had placed it in the hands of the captain, on the 15th day of May, 1864, when he was going to embark on said vessel for Havana, and that in consequence the government of the republic acknowledges the obligation that the said sum should be restored to him by the said custom-house.

Independence and liberty! Chihuahua, January 31, 1865.

LERDO DE TEJADA.

Citizen MINISTER OF HACIENDA.

Certified:

JUAN VALDEZ, *First Official.*

Certified:

IGNO. MARISCAL, *Secretary.*

WASHINGTON, *March* 25, 1865.

No. 6.

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,
Washington, November 1, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 25th of March last, with its two enclosures, all of which have reference to the matter of the 4,000 dollars, in gold, belonging to Mr. Thomas Dwyer, a loyal citizen of the United States, which were seized by the custom-house authorities of the port of Matamoras, in Mexico, on the 14th of May, 1864, owing to an alleged infraction by him of the revenue laws of Mexico, and respecting which your good offices were invoked by this department in the month of August, 1864, with the view of having that sum restored to Mr. Dwyer.

You are pleased to inform me that your request has been complied with by your government, and that an order has been issued for the restitution of the sum in question.

You will permit me, in the first place, to tender to you my thanks for the promptness and courtesy with which you have acted in this connexion; and, secondly, I beg you will convey to President Juarez the high appreciation entertained by the government of the United States for the readiness with which he has acceded to your request in behalf of Mr. Thomas Dwyer.

The duplicate certificates, issued by the treasury department of the Mexican republic in favor of Mr. Dwyer, dated February 3, 1865, will be forwarded to him so soon as his present residence can be ascertained.

I avail myself of this occasion to renew to you, sir, the assurances of my very distinguished consideration.

WILLIAM H. SEWARD.

Señor MATIAS ROMERO, &c., *Washington, D. C.*

No. 20.

COLLECTION OF CUSTOM-HOUSE DUTIES AT ACAPULCO.

List of papers.

No. 1.	Mr. Seward to Mr. Romero, (with one enclosure)....	Jan'y 18, 1865.
No. 2.	Mr. Romero to Mr. Seward.....	Jan'y 20, 1865.
No. 3.	Mr. Seward to Mr. Romero.....	Feb'y 7, 1865.
No. 4.	Mr. Romero to Mr. Seward.....	Feb'y 7, 1865.
No. 5.	Mr. Romero to Mr. Hunter, (with one enclosure)....	May 26, 1865.
No. 6.	Mr. Romero to Mr. Seward.....	Nov. 3, 1865.
No. 7.	Mr. Romero to Mr. Seward.....	Nov. 6, 1865.
No. 8.	Mr. Romero to Mr. Seward, (with one enclosure)....	Dec'r 1, 1865.
No. 9.	Mr. Seward to Mr. Romero.....	Feb'y 7, 1866.
No. 10.	Mr. Romero to Mr. Seward.....	Feb'y 17, 1866.
No. 11.	Mr. Romero to Mr. Seward, (with one enclosure)....	Feb'y 24, 1866.
No. 12.	Mr. Seward to Mr. Romero.....	March 12, 1866.

No. 1.

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,
Washington, January 18, 1865.

SIR: I have the honor to enclose to you a copy of a despatch, No. 7, of December 30 ultimo, received from Mr. Gilbert M. Cole, the commercial agent of the United States at Acapulco, from which you will perceive that Governor Diego Alvarez, of the state of Guerrero, who has re-occupied that port since its recent evacuation by the French forces, has exacted and collected over again from citizens of the United States, residing and doing business at the port of Acapulco, the impost duties and other taxes which had been previously paid by them to the French authorities, while that port was in the possession of the forces of the latter.

In the present anomalous condition of affairs in Mexico, the great distance at which the government of President Juarez is established, precluding almost the possibility of rapid and sure communication, I have the honor to call your attention directly to this matter, with a view that such measures may be adopted by

you, as its representative, to prevent in future the enforcement of such arbitrary proceedings towards the citizens of the United States within the jurisdiction of Governor Alvarez, and also that you may instruct him to refund the amounts already collected to the parties who have been compelled to pay them.

The United States has hitherto resisted the imposition of such duties upon its citizens in cases of a similar nature, growing out of the frequent changes of occupation by contending parties in revolutionary times in the American States, and it still adheres to the principle that such duties cannot lawfully be collected except when the ports are in the actual possession of the parties demanding them, and that in no case can these duties and taxes be twice levied upon the same articles, and for the same purposes, from its citizens.

I avail myself of this occasion to renew to you, sir, the assurances of my very distinguished consideration.

WILLIAM H. SEWARD.

Señor MATIAS ROMERO, *&c*, *Washington, D. C.*

[Enclosure.]

Despatch No. 7.] UNITED STATES CONSULATE AT ACAPULCO,
December 30, 1864.

SIR: I beg leave to briefly state to your honor a matter that involves the interests of American citizens at this consulate.

About seven months since, the Mexican authorities here issued an order against any parties paying any taxes or impost duties to any other parties but themselves, and then with their forces abandoned the possession of Acapulco to the French, whose men-of-war were then bombarding the town. The French then took possession of and occupied the town for a little more than six months, during which time they exercised all the functions of authority over the place, and collected impost duties at the custom-house, &c., and on the 12th instant they evacuated the place and went further up the coast with their fleet.

One or two days thereafter Don Diego Alvarez, governor of this State of Guerrero, came in with his forces and re-established his government over the place, *exclusively a State government, as he claims*, and, as such government, demanded and collected of American citizens, as well as from all others, the custom-house duties over again, on the same articles for which they had paid duties to the French when they were in full authority here. One American citizen here, John A. Sutter, jr., has paid on this second requisition $1,087, and others smaller amounts, several of which amount to a few hundreds. I cannot send a communication to the city of Mexico unless I hire a man to carry it, at an expense of fifty to seventy-five dollars.

The United States sloop-of-war Saranac, Commodore Poor, has been here for a month or more, and the commodore joins me in soliciting advice about this matter.

Very respectfully, your obedient servant,

GILBERT M. COLE,
United States Commercial Agent, Acapulco.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

No. 2.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,
Washington, 20th of January, 1865.

MR. SECRETARY: I have had the honor to receive the note you were pleased to address to me under date of 18th instant, enclosing to me a copy of a com-

munication which, on the 30th December last past, the commercial agent of the United States at Acapulco addressed to your department, informing it that the governor of the State of Guerrero, General Don Diego Alvarez, had asked and collected from citizens of the United States, after having returned and occupied that port, duties on importation and other contributions which had been previously paid to the French agents while the port referred to was in their power,

You were pleased, also, to make known to me that in the present abnormal state which things maintain in Mexico, and on account of the distance at which the national government of that republic is found, communication with it is very difficult, on which account you think it fit to call attention to the matter, that, as the representative of the government of Mexico, I may prevent the decision of the governor from going any further, and procure the return of the sum which he may have exacted from citizens of the United States resident at Acapulco.

You conclude by stating to me that the United States have resisted thus far, in like cases, the imposition of such duties on their citizens, and still maintain the principle that the duties mentioned can only be lawfully exacted when the ports are in the actual possession of the authorities that do collect them, and that in no case can such duties and contributions be exacted twice from citizens of the United States upon the same articles and for the same object.

Without entering on a discussion of the principles you lay down in your note referred to on the collection of contributions by the authorities *de facto*, nor admitting my accordance with them, I think it proper to say to you that, in cases like the present, there have not been twice collected in Mexico, to my knowledge, contributions paid to authorities *de facto*, and that I see no reason why they should now be collected at Acapulco, mainly touching the interests of citizens of the United States, with whose government that of Mexico maintains the best relations of friendship, and desires to cultivate and draw them closer.

Thus, then, although the solution of this question is beyond my attributes as the representative of my country, and belongs exclusively to the Mexican government, in view of the distance at which that is from Acapulco, and of the difficulty of communication between Chihuahua and that port, and desirous at the same time to gratify the government of the United States and meet your wishes, I recommend on this date to the governor of the State of Guerrero not to require in future the payment of duties which were collected during the occupation of Acapulco by the French, and were obliged to be legally paid during that period, and that he send me a report of what should have been and were collected in the case mentioned, to determine, on view of such report, what would be equitable, if by that time the solution which the government ot Mexico may deem it proper to adopt touching this matter should not have reached me, and with which I am in frequent communication since the establishment of its residence in Chihuahua.

It is satisfactory to me to avail myself of this opportunity to repeat to you, Mr. Secretary, the assurances of my most distinguished consideration.

M. ROMERO.

Hon. WILLIAM H. SEWARD, *&c.*

No. 3.

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,
Washington, February 7, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 20th ultimo, in reply to my communication of the 18th January, both of which refer

to the exaction of duties and taxes by Governor Don Diego Alvarez, at Acapulco, from citizens of the United States since the occupation of that port by the Mexican forces under his command, and which duties and taxes had been previously paid by the same citizens during the time it was held by the French forces operating in Mexico.

The measures you have been pleased to adopt upon the subject are deemed satisfactory to this government. I will, however, thank you to communicate to me a copy of the report of Governor Alvarez, and also to inform me of the determination of your government in the same connexion, when they shall have reached you.

I avail myself of the occasion afforded me to renew to you, sir, the assurance of my high consideration.

WILLIAM H. SEWARD.

Señor MATIAS ROMERO, *&c., Washington, D. C.*

No. 4.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,
Washington, 7th of February, 1865.

MR. SECRETARY: I have had the honor to receive your note of to-day, stating that the course adopted by me in view of the recommendation you made to me in your note of the 18th January last, relative to certain duties collected in Acapulco by the constitutional governor of the State of Guerrero, General Don Diego Alvarez, of which course I informed you in my note dated the 20th of said month, has seemed satisfactory to the government of the United States, and recommending me to pass you a copy of the report which General Alvarez may send to me, and of the resolution of the Mexican government on the subject.

In answer, I have the honor to inform you that it is very gratifying for me to know that my course in this case has seemed satisfactory to the government of the United States, and that I will forward to your department copies of the documents alluded to, as soon as they come to my possession.

I avail myself of this opportunity to renew to you, Mr. Secretary, the assurances of my most distinguished consideration.

M. ROMERO.

Hon. WILLIAM H. SEWARD, *&c.*

No. 5.

Mr. Romero to Mr. Hunter.

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,
Washington, 26th of May, 1865.

MR. ACTING SECRETARY: I have the honor to transmit to you, in compliance with the request made of me by your department in its note of the 7th of February last, a copy of a communication which I have to-day received from General Don Diego Alvarez, governor of the State of Guerrero, of the Mexican republic, dated at La Providencia, on the 20th of April last past, which contains the information which I asked of him on the 20th of January last in relation to the collection

of duties paid at Acapulco to the French agents during the time that said port was occupied by the forces inimical to Mexico, as I made known to your department in my note of the 20th of January referred to, in reply to that which I received from it upon the same subject under date of the 18th of the same month.

You will notice, sir, that General Alvarez asserts "that he did not collect such duties systematically, and that there is no fear that they shall hereafter be collected, owing to the mere fact that the parties had paid them to the agents of the intervention;" in which he complies with the recommendation which I made to him that, in consideration of the friendly relations existing between Mexico and the United States, he should not continue to collect them.

With reference to the other point—that is, the report which I asked of the said General Alvarez as to the reasons which he had for exacting the payment of such duties—you will see in his communication that he does not yet consider himself at liberty to give it; although, from the said communication, it appears that he did not proceed in this manner only with respect to the citizens of the United States, and that this course did not appear at the time so destitute of foundation, since neither the consular agent of the United States at Acapulco, nor Commodore Poor, of the United States corvette Saranac, which was then in those waters, complained either officially or privately against it.

I avail myself of this occasion to renew to you, sir, the assurances of my distinguished consideration.

M. ROMERO.

Hon. WILLIAM HUNTER, &c.

[Enclosure.—Translation.]

GOVERNMENT OF THE STATE OF GUERRERO.

This government has received your communication of the 20th of January last past, with the copy and translation of the one which was addressed to you by the Department of State of the United States, referring to the complaint submitted by Mr. Gilbert M. Cole, commercial agent of the United States at Acapulco, because the duties had been collected from some American citizens which they had previously paid to the French authorities while said port was occupied by them.

I am not aware of the reasons of grievousness to which this matter of so little consequence could have given rise, which did not occasion any official or extra-official correspondence with the aforesaid agent; but, on the contrary, the members of this government received, while this collection was being carried into effect, repeated proofs of cordiality and esteem from the aforesaid agent, and from Commodore Poor, commander of the sloop-of-war Saranac, anchored then in the bay of Acapulco. But be these motives what they may, as this government has the conviction of having acted properly in this matter, it does not hesitate to assert that the difficulty to which you allude would never have occurred, because the prudence and sufficient good sense of Commodore Poor remove every supposition incongruous therewith.

The circumstances through which this State is passing, in consequence of the foreign invasion, do not permit the undersigned to reveal at this time the principal one of the grounds which caused him to adopt this measure of collecting, even from citizens of the United States, the duties which they had paid during the occupation of Acapulco by the French; because the occupation might be repeated, and, with the knowledge of that cause, those who make a bad use of the generous hospitality which they have received in this republic would undoubtedly be on their guard, and, in the event of adopting another

course to the injury of this one, this government would be without the means of overcoming the serious consequences which this mismanagement might entail upon the constitutional cause.

Leaving, therefore, the revelation of that matter to such time as it may be proper and compatible to bring it to the knowledge of the supreme constitutional government, I confine myself to say to you, in reply, that, in fact, the duties in question were exacted from the following American citizens:

From Mr. Sutter, one thousand and eighty-seven dollars and forty cents, ($1,087 40;) from Mr. Stern, five hundred and thirteen dollars and eighty-eight cents, ($513 88;) from Mr. Wilson, two hundred and nineteen dollars and four cents, ($219 04;) from Mr. Hodges, three hundred and twenty-six dollars and forty cents, ($326 40;) and from Mr. Leuck, seventeen dollars and seventy-five cents, ($17 75;) that said individuals, like other foreigners who were in the same category, violated their neutrality by bringing cattle and provisions from San Francisco to supply the French, when no provisions whatever were permitted to reach them by land; and that this government, in order to give evidences of its prudence and civility, instead of confiscating their property and banishing them from the national territory, as is ordered by the existing laws of the republic, adopted the measure that there should be levied from them the same duties which they had paid to the French authorities, and it carried its good nature to the extent of removing therefrom the odious terms of the penalty incurred, and considering it as a simple exaction of ordinary duties.

Such is the history of this affair, and it must satisfy you that this government has not collected these duties systematically; and that, consequently, there is no fear that it will collect them hereafter, owing to the mere fact that the parties had paid them to the authorities of the interventionists.

I have the pleasure to renew to you my consideration and distinguished esteem.

Independence and liberty! La Providencia, April 20, 1865.

D. ALVAREZ.

Citizen MATIAS ROMERO,
Envoy Extraordinary and Minister Plenipotentiary of the Mexican Republic, at Washington.

A true copy:

IGNACIO MARISCAL,
Secretary.

WASHINGTON, *May* 26, 1865.

No. 6.

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,
Washington, November 3, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 26th of May last, enclosing a copy of one addressed to you by Governor Don Diego Alvarez, under date of April 20, 1865, in which he gives his views respecting the collection of duties on importations exacted from sundry citizens of the United States residing and doing business at Acapulco, these same duties having previously been paid to the French forces, which held that port, some time before its re-occupation by General Alvarez, the governor of the State of Guerrero.

While it gives me great pleasure to express to you, sir, my thanks for your prompt and effective interposition with General Alvarez, recommending a dis-

continuance of similar proceedings and also my satisfaction at the assurance given by him that the like duties will not hereafter be *twice* collected from citizens of the United States, it equally becomes my duty to say that the United States confidently expect that the sums thus improperly exacted by General Alvarez, and as stated in my communication of February 17, 1865, shall, in due season, be refunded to them by the authorities of the port of Acapulco, acting at the time under the sanction of the constitutional government of the republic of Mexico.

I avail myself of this occasion to tender to you, sir, the assurances of my very distinguished consideration.

WILLIAM H. SEWARD.

Señor MATIAS ROMERO, *Washington, D. C.*

No. 7.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION TO THE UNITED STATES OF AMERICA,
New York, 6th of November, 1865.

MR. SECRETARY: I have had the honor of receiving to-day the note you was pleased to address to me on the 3d instant, in answer to mine of the 26th of May last, with which I sent to your department a copy of the report that General Alvarez, governor of the State of Guerrero, made to me of the reasons for imposing new taxes on foreigners, and among them citizens of the United States, residing and doing business at Acapulco, when they had already paid at the time the port was held by the forces of the invaders.

In your above-mentioned note you say that while you are pleased to accept General Alvarez's assurances that he would collect no duties from citizens of the United States a second time, "it becomes your duty to say that the United States confidently expect that the sums thus improperly exacted by General Alvarez, and as stated in your communication of January 17, 1865, shall in due season be refunded to them by the authorities of the port of Acapulco, acting at the time under the sanction of the constitutional authorities of the republic of Mexico."

As I have no power to determine anything on this subject, I can only transmit a copy of your note to the minister of foreign affairs of the republic of Mexico, asking proper instruction, and so I have done to-day.

It is very satisfactory for me this opportunity to renew to you, Mr. Secretary, the assurances of my most distinguished consideration

M. ROMERO.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

No. 8.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,
Washington, 1st of December, 1865.

MR. SECRETARY: I have the honor to transmit to you the copy of a note from my government, dated Paso del Norte, 28th of October last, number 365, in relation to the complaint of the United States consular agent in Acapulco about

certain import duties collected by General Don Diego Alvarez, governor of the State of Guerrero.

I embrace this opportunity of repeating to you, Mr. Secretary, the assurances of my most distinguished consideration.

M. ROMERO.

Hon. WILLIAM H. SEWARD, *&c.*

[Enclosure.—Translation.]

No. 365.] DEPARTMENT OF FOREIGN RELATIONS AND GOVERNMENT,
Paso del Norte, October 28, 1865.

In your notes, No. 15, of the 29th January, No. 33, 7th of February, and No. 239, 26th of May of this year, you refer to what was communicated to you by the Department of State of the United States, saying that the commercial agent of that country at Acapulco informed Mr. Seward that after the evacuation of that port by the French, the governor of the State of Guerrero ordered custom-house duties to be collected on certain merchandise imported by American citizens, who had already paid them to the French, when they held the place.

You communicated what you wrote on this subject, to the governor of the State of Guerrero, with his reply to you, giving some explanations intended to disavow the commercial agent's cause of complaint.

As the government has not received the expected information on the subject, on account of the great distance and difficulty of communication, I am not able to give you its opinion.

Although Mr. Seward requested you to inform him of the determination of your government as soon as it reached you, I have heard nothing from you on the subject since the 26th of May, when you informed me that you had communicated the explanations of the governor of the State of Guerrero to the United States government; and as you have not informed me whether the Department of State made you any answer on the subject of the explanations, I presume it has been satisfied with them, and has seen proper to let the subject drop.

If this is so, you will have no occasion to refer to the subject again; but if not, you will tell me what the United States government says about the governor of Guerrero's explanations, which may be the same he gave to our supreme government, and which I would have sent you had I received them.

Accept the protests of my attentive consideration.

LERDO DE TEJADA.

Citizen MATIAS ROMERO,
Envoy Extraordinary and Plenipotentiary of the Mexican Republic in Washington.

A true copy:

IGNO. MARISCAL,
Secretary.

WASHINGTON, *December* 1, 1865.

No. 9.

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,
Washington, February 7, 1866.

SIR: I have had the honor to receive your communication of December 1 1865, with which you transmit to me a copy of the despatch No. 365, of Octo-

ber 28, ultimo, addressed to you by Señor Lerdo de Tejada, the minister for foreign affairs of the Mexican republic, in relation to the import duties collected in December, 1864, of certain American citizens at the port of Acapulco by order of the governor of the State of Guerrero, Don Diego Alvarez.

In reply thereto, I have to state, that the erroneous impression entertained by Señor Lerdo de Tejada, that this government was satisfied with the explanations of the governor of Guerrero, (communicated to this department with your note of May 26, 1865,) has doubtless been since corrected by your communication to that minister of my note of November 3, 1865, in which I expressed the confident expectation that the duties exacted under the circumstances set forth in my previous correspondence upon this subject would in due season be refunded by the constitutional authorities of the port of Acapulco.

I will thank you to communicate to me, as soon as possible, the final determination at which the Mexican government shall have arrived on a consideration of all the facts of the case; for you will bear in mind that the governor of Guerrero himself states that he was restrained, by the peculiar condition of public affairs, from revealing "the principal one of the grounds" on which he collected said duties, and of which, it is presumed, he must by this time have fully informed his government.

Governor Alvarez intimates that it was a mild way of punishing certain American residents for aiding the French by bringing supplies from San Francisco to Acapulco—*by sea*, it is inferred. It does not appear, however, that there was any blockade on the approach to that port by water, though he intimates that supplies *by land* were shut out.

Upon a reconsideration of the points of this case, I have to inform you that this government cannot accept an exceptional administration of the revenue laws of Mexico by General Alvarez as a proper mode of punishing supposed offences for which its citizens, domiciled in Acapulco, do not appear to have been subjected to any kind of trial, or even to an open accusation.

The United States having already expressed its dissatisfaction, and asked for restitution to the parties interested, entertain the hope that the executive of Mexico will cause the same to be refunded to them so soon as may be compatible with the public interests and condition of that republic.

I avail myself of this occasion to reproduce to you, sir, the assurances of my most distinguished consideration.

WILLIAM H. SEWARD.

Señor MATIAS ROMERO, *&c., Washington, D. C.*

No. 10.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION TO THE UNITED STATES OF AMERICA,
Washington, 17th of February, 1866.

MR. SECRETARY: I have had the honor to receive the note you were pleased to address to me, on this date, relative to certain duties collected in Acapulco by General Don Diego Alvarez, governor of the State of Guerrero, the return of which, in that port, you request in the name of the government of the United States.

In reply, I have the honor to inform you that I will send a copy of your above-mentioned note to my government by the next mail, that the affair may be acted upon in the most suitable and equitable manner.

I embrace this occasion of renewing to you, Mr. Secretary, the assurances of my most distinguished consideration.

M. ROMERO.

Hon. WILLIAM H. SEWARD, *&c.*

No. 11.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION TO THE UNITED STATES OF AMERICA,
Washington, 24th of February, 1866.

MR. SECRETARY: In a note which I addressed from New York to your department, on the 6th of November, 1865, I mentioned that I had sent your note of the 3d of that month, relating to duties collected from American citizens by General Alvarez in Acapulco, to my government. I now send you a communication from Mr. Lerdo de Tejada, minister of foreign affairs of the Mexican republic, dated at El Paso del Norte, the 22d of January, and numbered 22, in which I am informed that your note had been sent to the secretary of the treasury for his decision, as the affair belongs to that branch of the government.

I avail myself of the occasion to express to you, Mr. Secretary, the assurances of my most distinguished consideration.

M. ROMERO.

Hon. WILLIAM H. SEWARD, *&c.*

DEPARTMENT OF FOREIGN RELATIONS AND GOVERNMENT, OFFICE OF RELATIONS—AMERICAN SECTION—DUTIES COLLECTED IN ACAPULCO.

No. 22.] PASO DEL NORTE, *January* 22, 1866.

I have received the duplicate of your note, No. 554, of the 6th of November last, containing a copy of Mr. Seward's to you, on the 3d of November, in relation to duties collected by the governor and military commander of the State of Guerrero from citizens of the United States who said they had paid them once to the French when they first occupied that port.

I have also received the original note, No. 629, 1st of December following, in which you inform me that you had sent my note of the 28th October previous, on that subject, to the Department of State.

Notwithstanding the particular reasons the governor of Guerrero informed you he had for collecting those dues, stating that he was forced to do so in punishment of the course of the persons from whom the duties were collected, and assuring that in the future no custom-house duties should be collected twice, Mr. Seward said he hoped the money would be returned to those citizens of the United States by the authorities of the port of Acapulco.

As this business belongs to the Treasury Department, I have sent copies of your note, No. 554, and Mr. Seward's, to that department, to decide the case according to the evidence of the enclosed documents.

Accept the protests of my attentive consideration.

LERDO DE TEJADA.

Citizen MATIAS ROMERO,
Envoy Extraordinary and Minister Plenipotentiary of the Mexican Republic in Washington.

A true copy:

IGNACIO MARISCAL,
Secretary

WASHINGTON, *February* 24, 1866.

No. 12.

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,
Washington, March 12, 1866.

SIR: I have the honor to acknowledge the receipt of your note of the 24th ultimo, enclosing a copy of the communication of Señor Lerdo de Tejada, No. 22, of the 22d of January last, relative to the duties twice collected at Acapulco from citizens of the United States residing at that post, and through which I am informed that the subject has been referred to the secretary of the treasury of the Mexican republic for his decision.

Thanking you for your kind attention, I avail myself of this opportunity to reiterate the assurances of my most distinguished consideration.

WILLIAM H. SEWARD.

Señor MATIAS ROMERO, *&c., Washington, D. C.*

No. 21.

ARREST OF DESERTERS FROM THE UNITED STATES ARMY ON MEXICAN TERRITORY.

List of papers.

No. 1. Mr. Seward to Mr. Romero, (with four enclosures.).....Nov. 30, 1865.
No. 2. Mr. Romero to Mr. Seward.....Dec. 1, 1865.

No. 1.

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,
Washington, November 30, 1865.

SIR: I have the honor to enclose for your information a copy of a communication of the 28th instant from Brigadier General Townsend, Assistant Adjutant General, concerning the attempted arrest on Mexican territory of certain deserters from the army of the United States.

Accept, sir, a renewed assurance of my highest consideration.

WILLIAM H. SEWARD.

Señor MATIAS ROMERO, *&c., Washington, D. C.*

[Enclosure No. 4.]

Mr. Townsend to Mr. Seward.

WAR DEPARTMENT, ADJUTANT GENERAL'S OFFICE,
Washington, November 28, 1865.

SIR: By direction of the Secretary of War, I have the honor to transmit, herewith, copies of a correspondence of the military authorities in the military

division of the Pacific, relating to the attempted arrest on Mexican territory of some deserters from the United States army.

I am, sir, very respectfully, your obedient servant,

E. D. TOWNSEND,
Assistant Adjutant General.

Hon. WILLIAM H. SEWARD, *Secretary of State.*

[Enclosure No. 2.]

Adjutant General Drum to Brigadier General Mason.

HEADQUARTERS DEPARTMENT OF CALIFORNIA,
San Francisco, Cal., October 10, 1865.

SIR: I am instructed by the major general commanding the department to write you as follows:

It is seen in your letter of September 18, enclosing a report dated September 4, from Colonel Lewis, 7th infantry, California volunteers, commanding the sub-district of Tubac, that the latter reports the desertion of twenty-five men of the native cavalry, with their horses, carbines, sabres, pistols, &c., to Madalena, in the Mexican State or Territory of Sonora; that in some informal way an American citizen, whom it does not appear was authorized or directed to do so, asked the prefect of Hermoso (Hermosillo Sonora) that the deserters might be arrested, which request the prefect granted by placing them in confinement; that shortly afterwards a French officer approached and released the men, giving them their horses and retaining their arms, at the same time saying that the government of the United States did not recognize France in Mexico, consequently France did not recognize the United States in Mexico. Thus the matter ended.

It is much to be regretted it did not end there; but the colonel says, "Subsequently I learned that all the men (the deserters) were at Madalena and Altar, with all their arms and horses. I gave Captain Pico an order to go to Madalena with twelve men and request or demand in the name of the United States for the delivery up of the thieves and property belonging to it. I also gave Captain Jimeno the same orders to go to Altar." That is to say, Colonel Lewis, commanding a sub-district on the Sonora frontiers of Arizona, ordered two of the captains under his command to invade a portion of Mexico, then and there occupied by French troops, to make an unauthorized and unwarranted request or demand in the name of the United States for the surrender of a band of deserters.

It is difficult to see how the colonel could have permitted himself to take the course he did in this matter; the more so, as he very properly in the same letter reports his intention to resist the passage of the frontier by an armed party of two hundred men, which, it had been reported, the French commander was about to send into Arizona to seek and capture some political refugees.

The colonel should not have demanded or even requested of the French commander what he would not have yielded and granted to him in a similar case.

The colonel seems to think he was warranted in demanding these deserters as thieves, and the restitution of the property they took off with them as public property of the United States.

The treaty between the United States and Mexico for the extradition of criminals, of December 11, 1861, provides that—

"In the case of crimes committed in the frontier States or Territories of the two contracting parties, requisitions may be made through their respective diplomatic agents, or through the chief civil authority of said States or Territories,

or through such chief civil or judicial authority of the district or counties bordering on the frontier as may for this purpose be duly authorized by the said chief civil authority of the said frontier States or Territories, or when from any cause the civil authority of such State or Territory shall be suspended through the chief military officer in command of such State or Territory." (Article II.)

Article IV provides for the surrender of fugitives by the same functionaries as are entitled, by Article II, to make requisition for them, the same conditions applying in each article.

You see, therefore, that Colonel Lewis, not being "the chief military officer in command of such State or Territory," could in no case have the right to "demand" or "make a requisition" for persons accused of crimes committed in Arizona, seeking asylum in Sonora.

Should the civil authority unhappily become suspended in Arizona, that authority, under the treaty, would devolve on you, and you only, for there is no provision for your delegating it, as there is for the governor of the Territory, to another.

As the civil authority is in full force in Arizona, the governor of the Territory or such "chief civil or judicial authority of the counties or districts bordering on the frontier" as he may duly authorize, only have the power to make "requisitions, requests or demands" on the authorities in Sonora for the delivery up of the persons designated in the treaty.

Deserters from the military service are not among those whom the two nations have agreed to deliver up.

The act of these men in taking off with them their horses, arms, clothing and accoutrements, and selling, losing, or spoiling them, is a military offence, under the 38th article of war, for which a specific punishment is provided.

But the disposing of this property which they had in trust would not under the common law be larceny, but a breach of trust, and is not one of the offences designated in the treaty of extradition herein referred to.

If Colonel Lewis was not the proper person to make the demand, and the persons were not such as could lawfully be demanded, still less is the manner of his making the demand to be justified. The sending of an armed detachment of United States troops into Sonora is not to be tolerated whilst we are at peace with Mexico, and especially whilst that country is in the hands of an army of a foreign power supporting a government which the United States does not recognize.

Such proceedings cannot fail to produce the most serious complications if they are sanctioned or overlooked.

You will, therefore, immediately on the receipt hereof, either in your own name or in that of Major General McDowell, commanding the department, (preferably the former if the way is open to you,) disapprove and disavow the act of Colonel Lewis, and will so inform him.

You will also send a note to the authority in actual possesion and command in Sonora, whoever they may be, French or Mexican, setting forth that the act of Colonel Lewis in sending an armed party into Sonora is disavowed, dissapproved, and much regretted, as we would not and will not permit or suffer them to do so much to us.

You will also direct Colonel Lewis to refrain from entering into any discussion whatever with the French military authorities or those of Maximilian; to refer any question which may come up from them to you, and in all cases where it may be necessary to have any intercourse with them pending such reference, or on any other occasion wherever it can be done, to treat the authorities on the other side with the utmost courtesy.

Colonel Lewis has nothing whatever to do, as a military commander, with the political relations of the United States with the parties in Mexico. He has simply to keep off their territory and keep them off ours.

The colonel is an excellent, worthy man, and will, I am sure, conform with alacrity and in absolute good faith, to any course that may be laid down for him.

I am, general, very respectfully, your obedient servant.

R. C. DRUM,
Assistant Adjutant General.

Official:

R. C. DRUM,
Assistant Adjutant General.

Official copy:

WAR DEP'T, ADJUTANT GENERAL'S OFFICE,
November 27, 1865.

E. D. TOWNSEND,
Assistant Adjutant General.

[Enclosure No. 3.]

General McDowell to Colonel Scott.

HEADQUARTERS DEPARTMENT OF CALIFORNIA,
San Francisco, Cal., October 25, 1865.

SIR: Colonel Lewis, commanding at Calabasas, Arizona, sent an armed party into Mexico to demand the surrender of a party of deserters from his command.

It is understood that Captain Pico, commanding one of the parties there sent, had some altercation with the French authorities in Sonora, and as he was improperly sent, and his act may be the subject of some reclamation on the part of our government, I have the honor to forward herewith a copy of my order in the case, issued to General Mason immediately on the receipt of the report.

I have the honor to be, very respectfully, your most obedient servant,

IRVIN McDOWELL,
Major General, Commanding.

Lieut. Col. R. N. SCOTT,
A. A. G. Headq'rs Div. of Pacific, San Francisco, Cal.

Official:

ROBERT N. SCOTT,
Assistant Adjutant General.

Official copy:

E. D. TOWNSEND,
Assistant Adjutant General.

WAR DEP'T, ADJUTANT GENERAL'S OFFICE,
Washington November 27, 1865.

[Enclosure No. 4.]

General Halleck to General Townsend.

HEADQUARTERS MILITARY DIVISION OF THE PACIFIC,
San Francisco, Cal., October 26, 1865.

GENERAL: I transmit herewith copies of some correspondence of General McDowell in regard to affairs on the frontiers of Arizona and Mexico.

The general instructions to our military officers on this coast are, to have

nothing to do with the imperial authorities in Mexico, but simply to keep off the territory occupied by them and to keep them off ours.

Very respectfully, your obedient servant,

H. W. HALLECK,
Major General, Commanding.

Brevet Brig. Gen. E. D. TOWNSEND,
Ass't Adj't General U. S. Army, Washington, D. C.

Official copy:

E. D. TOWNSEND,
Assistant Adjutant General.

No. 2.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,
Washington, 1st of December, 1865.

MR. SECRETARY: I have the honor of informing you that your note of yesterday, containing a communication from General Townsend, Assistant Adjutant General of the United States army, dated 28th of November last, in relation to the entrance of United States forces upon Mexican territory for the purpose of arresting several deserters from that army who had taken refuge in Sonora, reached me to-day.

I will lose no time in transmitting this important correspondence to the Mexican government for its information and consequent action.

I take this occasion to repeat to you, Mr. Secretary, the assurances of my distinguished consideration.

M. ROMERO.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

No. 22.

CASE OF THE SCHOONER SOLEDAD COS.

List of papers.

No. 1.	Mr. Romero to Mr. Seward, (with one enclosure).....	Nov. 29, 1861.
No. 2.	Mr. Romero to Mr. Seward, (with one enclosure).....	Dec. 2, 1861.
No. 3.	Mr. Seward to Mr. Welles.....	Dec. 11, 1861.
No. 4.	Mr. Seward to Mr. Romero.....	Dec. 11, 1861.
No. 5.	Mr. Seward to Mr. Romero, (with two enclosures).....	Dec. 18, 1861.
No. 6.	Mr. Romero to Mr. Seward, (with four enclosures).....	Oct. 13, 1865.
No. 7.	Mr. Seward to Mr. Romero.....	March 13, 1866.

No. 1.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,
Washington, November 29, 1861.

MR. SECRETARY: I have the honor to transmit to you, for the consequent ends, the copy of a protest made before the Mexican vice-consul at Galveston,

by the Mexican citizen Bartolomé Solari, captain of the schooner Soledad Cos, against the proceedings of captain James Alden, of the United States steamer South Carolina, who captured that vessel and cargo and imprisoned the persons forming her crew.

The schooner Soledad Cos, her cargo and crew, were sent to New York, where they arrived on the 23d instant, according to the reports which have been made to this legation by the Mexican consul at that port.

As the vessel's papers, her register and crew list, which are those that prove her nationality, were taken from her by Captain Alden, as is shown by said protest, it is not yet evident to this legation whether those documents were issued in conformity to the laws on the subject, and therefore it can now only await the decision of the court which has cognizance of the case of said vessel, and to which it supposes the affair will be submitted.

I profit by this opportunity to renew to you, sir, the assurances of my very distinguished consideration.

M. ROMERO.

Hon. WILLIAM H. SEWARD, &c.

[Enclosure No. 1.—Translation.]

MEXICAN VICE-CONSULATE AT GALVESTON.

On this 12th day of September, 1861, before me, Francisco Gonzales, vice-consul of the Mexican republic, appeared Mr. Bartolomé Solari, captain of the Mexican schooner Soledad Cos, of the burden of fifty-five tons (more or less,) of the port of Tampico, and the property of Mr. Soledad Cos, of said port, and he wishing to satisfy the requirements of the law and to protect the interests of his fitters-out and freighters, declares under oath, that after the legal clearance of said vessel by the maritime custom-house, and captain-generalship of marine of the port of Vera Cruz, sail was made on the 5th instant, at about half past ten in the morning, for the ports of Matamoras or Key West, carrying as freight, coffee, cigars and a few bales of cotton, all of which will appear from the manifest of said vessel.

Having learned, as I am informed, at the last moments before sailing, that there were some stocks of coffee in Matamoras, the supercargo determined to keep on the voyage to Key West. Having experienced a succession of squalls and calms, and contrary winds, which on some days prevented us from taking the necessary observations, we found ourselves at daybreak yesterday, at some 18 to 20 miles from the island of Galveston, descrying almost at the same time in the northeast a steamer, which having drawn near to us, asked for the flag, which was at once hoisted, we continuing all this time our course to the east. About a quarter of an hour after, said steamer having continued to draw near at the rate of three leagues an hour, she fired a blank shot, which being seen by us we luffed and lay to until she came alongside, launched her boat, and I was boarded by an officer and five armed men. I was asked whence I came; I replied from Vera Cruz. Whither I was bound? To Key West. What cargo? Coffee and cigars. He asked for the vessel's papers, which having cast a glance at, he ordered me to get into the boat, and took me a prisoner on board the steamer. Once on board, the commander of said vessel catechised me at his pleasure, as to whether I had or had not money, arms, &c., and many other things, which being entirely irrelative to the case, it is impossible for me now to mention. He then ordered the supercargo, the mate, and a seaman to be brought on board, and went on taking our depositions one by one, keeping us separate during said inquisitorial investigation by transferring us from the steamer to a pailebot,* fitted out as a war vessel which he had alongside, and *vice versa*.

* Probably in this case a launch. (TRANS.)

They kept us prisoners during the day. Having asked him for the register and papers of my vessel, he flatly refused them, telling me they had to go to New York, and that if I wanted them I would have to go along with them. At sunset he proposed as a condition of my coming on shore that I and the crew should sign a certain paper or document, which as he explained to me, I not understanding it on account of its being in English, required us to abstain from taking up arms against the United States of America; to which arbitrary act I had to submit, it being necessary for me to go on shore for the purpose of consulting with the consul of the republic, and of drawing up the necessary protest against the aggressions above related.

Consequently I declare that I protest, as by these presents I do protest, in the most solemn manner, against the acts of Mr. James Alden, the commander of the North American war steamer South Carolina, and against whomsoever it may concern, for all the expenses, losses, and damages which may happen to my vessel or cargo on account of the detention and illegal seizure of said vessel and her appurtenances, and particularly for the outrage committed on the flag which I have the honor to wave.

And I declare that on account of the detention of the papers of my vessel by Mr. Allen, it has been impossible for me to make minute reference to the log-book, &c., which must explain the failure or omission which is found in the present protest.

Done and executed in the office of vice-consulate of Mexico, at Galveston, on the day of the date hereof, in presence of Mr. Tomas Gonzales, the witness who signs at the conclusion, who after the reading, has signed together with the said appearer and with us, the vice-consul.

BARTOLOMÉ SOLARI.
G. MICHELENA.

As witness: TOMAS GONZALES.

A copy made from the original deposited in the office under my charge.

FRANCISCO GONZALES, *Vice-Consul.*

(A seal with the words Mexican vice-consulate at Galveston, having the arms of Mexico.)

A copy:

ROMERO.

WASHINGTON, *November* 29, 1861.

No. 2.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,
Washington, December 2, 1861.

MR. SECRETARY: Referring myself to the note which I addressed to your department, under date of 29th November last, about the capture of the schooner Soledad Cos by the United States war steamer South Carolina in the waters of Galveston, I have to-day the honor to transmit to you a copy, having official bearing on the matter, of a note from the Mexican consul at New York, in which some mistakes that occurred in the first reports made to me by that functionary, which were before me when I addressed to you the communication above mentioned, are corrected.

I avail of this opportunity to renew to you the assurances of my very distinguished consideration.

M. ROMERO.

Hon. WILLIAM H. SEWARD, &c.

[Enclosure No 1.]

No. 12.] MEXICAN CONSULATE AT NEW YORK.

In my former note of the 26th instant, relative to the capture of the Mexican schooner Soledad Cos in the waters of Galveston, I said to you that said vessel, with her cargo, the captain, and one seaman, had arrived at this port, and in so doing, I fell into a mistake, occasioned by the confused narrative which the captain, an Italian by birth, made to me of the circumstances. According to what he tells me to-day, the cargo is that which the American authorities sent to this port, and is on board the English brig Delta; and in regard to the individuals, the captain and the seaman, they came on because the Mexican consul at Galveston advised them that they should do so; and, in consequence, the day before yesterday they were landed and left at liberty in this city, it appearing to-day that another individual is with them who says that he also belongs as a seaman to the crew of the Soledad Cos. * * * *

I reiterate my esteem and respect.

God and liberty!

J. M. DURAN.

The CHARGÉ D'AFFAIRES OF MEXICO *at Washington.*

Certified:

ROMERO.

WASHINGTON, *December* 2, 1861.

No. 3

Mr. Seward to Mr. Welles.

DEPARTMENT OF STATE,
Washington, December 11, 1861.

SIR: I have the honor to submit, for your perusal, two original notes with accompanying papers, all translated, addressed to this department by Señor Romero, chargé d'affaires of Mexico, of the dates, respectively, 29th ultimo and 2d instant, relative to the alleged capture of the schooner Soledad Cos by the United States steamer of war South Carolina, and will thank you to return them, with an expression of your views upon the subject, at your earliest convenience.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Hon. GIDEON WELLES,
Secretary of the Navy.

No. 4.

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,
Washington, December 11, 1861.

SIR: I have the honor to acknowledge the receipt of your two notes, dated, respectively, 29th ultimo and 2d instant, with their accompaniments, relative to the capture of the Mexican schooner Soledad Cos by the United States war

steamer South Carolina in the waters of Galveston, and to inform you that the subject, as set forth in your communication, has been referred to the Secretary of the Navy, whose views will be promptly imparted to you.

I avail myself of the occasion to renew to you, sir, the assurances of my distinguished consideration.

WILLIAM H. SEWARD.

Señor MATIAS ROMERO, *&c.*

No. 5.

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,
Washington, December 18, 1861.

SIR: Referring to my note of the 11th instant, I have now the honor to enclose a copy of the report of Commander Alden to the Navy Department, in relation to the capture of the schooner Soledad Cos, and also of the letter from the Secretary of the Navy of the 13th instant, transmitting that report and approving the act of Commander Alden.

I avail myself of this occasion to renew to you, sir, the assurances of my distinguished consideration.

WILLIAM H. SEWARD.

Señor MATIAS ROMERO, *&c.*

[Enclosure No. 1.]

Mr. Welles to Mr. Seward.

NAVY DEPARTMENT, *December* 13, 1861.

SIR: I have the honor to acknowledge the receipt of your letter of the 11th instant, with enclosures, in relation to the capture, on the 11th of September, of a schooner called the Soledad Cos by the United States steamer South Carolina, and requesting an expression of my views on the subject.

I think a perusal of the report of Commander Alden, who captured the vessel, will best explain the true merits of the case. I therefore transmit a copy thereof, and with it the expression of my decided opinion that the Soledad Cos was rightfully captured.

The papers that accompanied your note are herewith returned, as requested.

I am, respectfully, your obedient servant,

GIDEON WELLES

Hon. WILLIAM H. SEWARD,
Secretary of State.

[Enclosure No. 2.]

UNITED STATES STEAMER SOUTH CAROLINA,
Off Galveston, September 13, 1861.

SIR: I have the honor to report that we captured on the 11th instant, off this port, a schooner loaded with about 20 tons of coffee, called the Soledad Cos, or rather she had that name printed on her stern, and purporting to belong to Tampico. She, however, proved to be an old acquaintance, a vessel that came out of Galveston, soon after our arrival here, in answer to our signal to commu-

nicate with the shore, her true name being the Anna Taylor, of Galveston, which is erased from her stern but clearly visible on the head. Her captain I knew immediately. He owned up at once. It appears he drew only two or three feet of water, and slipped out of St. Louis Pass, which is the other (south) end of Galveston island, and went to Tampico, where he made a sham sale of his vessel, altered her name, and thence went to Vera Cruz, where they obtained the coffee and Mexican flag, and when we caught him he was evidently trying to get in, although he had cleared for Matamoras and Key West. His papers, too, were so irregular that I did not hesitate to make him a prize, and I shall send him, or rather the coffee, to New York by the first conveyance, as the vessel is not fit to go, having a centre-board, and draws only three feet of water. Everything is very quiet since my last, and I remain, very respectfully, your obedient servant,

JAS. ALDEN, *Commander.*

Flag-Officer WILLIAM MERVINE,
Commanding Gulf Squadron, off Fort Pickens.

No. 6.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,
Washington, 13th of October, 1865.

MR. SECRETARY: Referring to my note of 29th November, 1861, with which I sent to the department a protest made before the Mexican vice-consul at Galveston, by the captain of the schooner Soledad Cos, and to that of the 2d December of the same year, relative to the capture of the said schooner by the war steamer of the United States, South Carolina, I have now the honor to enclose to you copy of an application which was presented by the licentiate Don Manuel Saavedra, attorney of Señora Soledad Cos de Navarro, resident of Tampico, and owner of the vessel referred to. I also enclose originals three of the documents which accompanied that application, not doing so with two others of them, because one is the protest of the captain of the schooner, which I have already sent to the department, and the other relative to the power by which the licentiate Saavedra presented himself to me in the name of Señora Cos.

By the bill of sale, original whereof I enclose, it is shown that the schooner Anna Taylor was in fact sold, with all the requirements according to the Mexican laws, by William Johnson, who appeared to be the owner, to Señora Soledad Cos de Navarro, resident of Tampico, and by the certificates of the custom-house (documents duly legalized as well as the bill of sale) it is proved that the said schooner assumed legally the Mexican flag, and in this character and with the new name, Soledad Cos, was despatched for Vera Cruz.

As for the ground which Commander James Alden, of the South Carolina, had for making prize of La Soledad Cos, it seems to be, according to his report of 13th September, 1861, to the Navy Department, that the schooner was the same Anna Taylor, of Galveston, and that the sale of her made at Tampico was feigned or supposititious, as well as her assumption of the flag as a Mexican vessel, I consider the documents which are now presented are of sufficient interest, as they place beyond all doubt that the vessel, at the time of her capture, was the property of a Mexican, and bore lawfully the flag of Mexico. Therefore I send these corroborative papers to you, that they may have that weight which there may be room for.

Ignorant whether the schooner in question and her cargo were decreed lawful prize because the Secretary of the Navy, in his note to you dated 13th Decem

ber, 1861, merely approved the action of Commander Alden, and in expectation of instructions from my government, which I have asked for, I limit myself at present to making the remittance mentioned, requesting you will please inform me of the latest decision which may have been taken by the proper authority in this business.

I have the honor to reiterate to you, Mr. Secretary, the assurances of my very distinguished consideration.

M. ROMERO.

Hon. WILLIAM H. SEWARD, &c.

[Enclosure No. 1.—Translation.]

WASHINGTON, *June* 18, 1865.

MR. MINISTER: Manuel Saavedra, attorney of Don Ignacio Navarro, as appears by the document which is annexed under No. 1, respectfully shows to you that said Mr. Navarro is the husband (and consequently legal representative) of Señora Dona Soledad Cos, resident at the port of Tampico, as is established by the annexed report, marked No. 2. This lady bought on the 20th August, 1861, from the citizen of the United States William Johnson, resident of Galveston, the packet-boat called "Anna Taylor," which is proved by No. 3. When the vessel was acquired by the Señora Soledad Cos she bore her name, in place of that she previously had, was put under the Mexican flag, and in accordance with legal requirements was registered at the port of Tampico.

From that port she commenced, as a Mexican vessel, on the day following, (the 21st of said August,) a voyage to Vera Cruz, after having been regularly cleared, as appears by the certificates from the custom-house and port captain's office, which are annexed as Nos. 4 and 5.

From Vera Cruz said packet-boat was despatched for Matamoras or Key West, with a cargo of coffee, tobacco and cotton, and made sail on the 5th of September of the year aforesaid. It being resolved that she should steer for the second of these ports referred to, her voyage was commenced towards it; but in consequence of calms and contrary winds, on the 11th of that month she found herself at some 18 or 20 miles from Galveston. Then the United States war steamer South Carolina approached, whose captain, after taking possession of the registers and papers of the packet-boat, which were all regular, captured her and took her to the harbor of New York; although first allowing her captain, Don Bartolomé Solari, to land at Galveston, where he made before the Mexican vice-consul the protest in which he relates these facts, and is annexed as No. 6.

From the preceding narrative it appears said packet-boat was taken and confiscated, belonging to a Mexican, and without any reason for it. In consequence I take recourse to you, Mr. Minister, requesting you to address the government of this republic claiming the restoration of the vessel, or its price, and the acknowledgment of losses and damages, the amount of which may be established. I ask for justice, and expect to obtain it.

MANUEL SAAVEDRA.

A copy:

IGNACIO MARISCAL.

WASHINGTON, *October* 13, 1865.

[Enclosure No. 2.—Translation.]

At Tampico, of Tamaulipas, on the 20th day of the month of August, 1861, before me, notary public, and witnesses, appeared Mr. William Johnson, resident of Galveston, to me known, according to recognition made of him by Don Carlos

Snayder and Signey Udall, of this neighborhood, to whom I gave credence, and said, that by these presents he makes actual sale and forever, in favor of Doña Soledad Cos, of the same place, of the pilot-boat to him belonging, which was then at anchor in the river of this port of Tampico, in Tamaulipas, called "Anna Taylor;" her principal dimensions being as following: her length, 58 feet 3 inches; her beam, 23 feet; depth of hold, 5 feet 11½ inches; and measuring $60\frac{44}{95}$ tons centimetres American, being 54 tons Mexican; which vessel he brought to this port from that of Galveston, in the State of Texas, which he ordered to be built at Greenport, in the State of New York, in 1858, and sells her with her sails, rigging, anchors, and other equipments which belong to her to make her seaworthy, and in the condition she is, for the sum of $4,000, which he acknowledges to have received from the purchaser to his complete satisfaction, in current silver money, ready cash; wherefore he holds her as delivered up, with renunciation of proof, of rules, of delivery, exception as to money not counted, and others in the case, and authorizes receipt in form; in virtue whereof he can say that he is quit and separated from the right of ownership, possession, use, service, and other actions real, titles mixed, useful, personal, direct and executive, which against the said pilot-boat "Anna Taylor" he had or held, and cedes, renounces, and transfers the whole in favor of the purchaser, and all the right and title he had or could have, that, as her own property, she may possess, sell, or aliene at her will, in virtue of this writing which he authorizes in proof of actual delivery, and by which it is clear she had acquired possession and power to hold it without need of further proof, of which he relieves her. He declares the value and just price of this sale and the $4,000 which he has received, because he has not found any who would offer more; and if perchance she is worth more, or may be, of the excess, be it more or less, he makes free gift and donation in favor of the purchaser against all and every person, whatever his right and title may be, as perfect and irrevocable, which the law designates *inter vivos*, with all the intendments, clauses, requisites, and corroborations which may be necessary to its validation and renunciation of law in the case, assuming that this sale shall be valid and subsistent, and constituting himself bound against her eviction, and her upholder against disturbance in every form of law. The Señora Doña Soledad Cos being made cognizant herself in presence of her husband, Don Ignacio Navarro, who gave his consent and leave to this act, to which the notary gives faith and credit, said that she is content, and accepts this present writing in the terms in which it is extended.

So it was authorized and signed, the witnesses being D. Fernando Dubois, D. Paulino Prieto, and D. Mauricio Grillet; Don Carlos Gayaret, of this city, having acted as interpreter on the part of the seller.

I give faith:

WILLIAM JOHNSON,
SOLEDAD COS,
IGNACIO NAVARRO,
CARLOS SNYDER,
SIGNEY UDALL,
CARLOS GAYARET.

Before me:

M. GREGORIO PALAEZ, *Notary Public.*

This agrees with the original, which is to be found in the register of public writings in my charge, to which I refer; and at the request of the said Doña Soledad Cos I have extracted the present testimony, which is written on one sheet under the first seal, at Tampico, of Tamaulipas, on the 31st day of the month of March, 1862, for the purpose of justifying its correctness.

I bear testimony:

[NOTARIAL SEAL.]

BR. GREGORIO PELAEZ,
Notary Public.

We, the notaries public who sign and seal below, do certify that the signature and seal which authenticates the original copy extended by the notary public, Bachelor Dr. Gregorio Pelaez, at the request of Doña Soledad Cos, at the city of Tampico, de Tamaulipas, on the 31st day of the month of March, 1862, is, as he entitles himself, a notary public and of mortgages, and that to the documents which he issues entire faith and credit are given in court and out; and that they may have efficacy where proper, we give the present on one sheet of common paper, because none is to be had with the proper seal.

Done in the heroic city of Matamoras, on the 4th day of the month of October, of the year one thousand eight hundred and sixty-four.

ANTONIO ADAME, *Notary Public.*
AMBO, MONTIEL, *Notary Public.*

CONSULATE OF THE UNITED STATES OF AMERICA,
Matamoras, Mexico, October 5, 1864.

I, the undersigned, consul of the United States of America for Matamoras and the dependencies thereof, do hereby certify that the foregoing are the true and genuine signatures of Ambrosio Montiel and Antonio Adame, notaries public in the city of Matamoras, Mexico, and as such are entitled to full faith and credit.

In testimony whereof, witness my hand and the seal of this consulate the day and year above written.

[SEAL.]

L. PIERCE, JR.,
United States Consul.

We who subscribe, collector and auditor of the maritime customs at this port, certify: that on the 21st of August, of the year last past, was cleared for Vera Cruz the national schooner Soledad Cos, the captain Rafael Juarez, with a cargo of twenty-five (25) bags of cotton and ($5,700) five thousand seven hundred dollars, in coined American gold, which said vessel imported, on the 16th of said August, from Galveston, under the name of Anna Taylor, Captain Johnson, which property she carried as nationalized, in virtue of having paid the proper duties and having taken the national flag at this port; and for the uses which may be proper, on the application of Don Ignacio Navarro, we deliver these presents at Tampico, of Tamaulipas, the seventh of May, one thousand eight hundred and sixty-two.

FRANCISCO HERNANDEZ.
FRANCISCO M. ROJAS.

[Enclosure No. 3.]

PRINCIPAL OFFICE OF THE REVENUES OF SEALED PAPERS IN TAMAULIPAS.

Third seal of acts. [SEAL.] Second class, four reals.

Habilitated for the biennial term for 1864 and 1865, in accordance with article 41 of the law of 14th February, 1856.

FRANCISCO G. RODRIQUEZ.
THOMAS CORRAL.

H. MATAMORAS, *June* 20, 1865.

The notary public who subscribes certifies that the signatures which sanction the previous certificate extended in the city of Tampico, on the 7th day of May, 1862, by Messrs. the collector of the maritime custom-house of that port, Don Francisco M. Rojas, and the auditor of the same, Don Francisco Hernandez, are those they are accustomed to use in all their official and private acts, and to which full faith and credit are given, as well in court as out of it, which certificate was extended on the application of Don Ignacio Navarro; and that it may have efficacy where needed, I issue the present certificate, at H. Matamoras, the 4th October, 1864.

[NOTARIAL SEAL] AMBO. MONTIEL, *Notary Public.*

UNITED STATES CONSULATE,
Matamoras, October 4, 1864.

I, the undersigned, consul of the United States of America for Matamoras and the dependencies thereof, do hereby certify that the foregoing is the true and genuine signature of Ambrosio Montiel, notary public in this city, and as such is entitled to full faith and credit.

Given under my hand and the seal of this consulate the day and year above written.

[SEAL.]

L. PIERCE, JR.,
United States Consul.

I, the citizen Francisco Lopez de Rivera, captain of the ship of the line and captain of the port, and hereditary member of the board of health and of trade, do hereby certify that in the book of departures of vessels of this office of the present year, at folio 19, before me, is found the following note:

August 22, 1861.—"For Vera Cruz, the national pilot boat Soledad Cos, Captain Rafael Juarez; her cargo, cotton; passengers, four."

And that this may have efficacy where needful to D. Ignacio Navarro, at his request, I give this at Tampico of Tamanlipas, on the 10th of April, 1862.

FRANCISCO RIVERA.

[Enclosure No. 4.]

[Official caption as before.—No. 696.—H. Mattamoras.

The notary public who subscribes certifies that the signature which sanctions the certificate extended in the city of Tampico on the 10th day of the month of April, of the year 1862, at the request of Don Ignacio Navarro, by the captain of the port, Don Josè Rivera, is the same he customarily uses in all his acts, official and private, and to which full faith and credit are given in court and out of it; and that this may have efficacy where needful, I extend this present certificate, at the heroic city of Matamoras, on the 4th day of the month of October, one thousand eight hundred and sixty-four.

[NOTORIAL SEAL.] AMBO. MONTIEL, *Notary Public.*

UNITED STATES CONSULATE,
Matamoras, October 4, 1864.

I, the undersigned, consul of the United States of America for Matamoras and the dependencies thereof, do hereby certify that the foregoing is the true and genuine signature of Ambrosio Montiel, notary public in this city, and as such is entitled to full faith and credit.

Given under my hand and the seal of this consulate the day and year above written.

[SEAL.]

L. PIERCE, JR., *United States Consul.*

No. 7.

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,
Washington, March 13, 1866.

SIR: I have the honor to acknowledge the receipt of your note of the 13th of October last, with its four enclosures, relative to the sale of the American schooner Anna Taylor, on the 20th day of October, 1861, by William Johnson to Doña Soledad Cos, of Tampico, and which vessel, in virtue of such sale, subsequently assumed the name of Soledad Cos, and while flying the Mexican flag was captured off the port of Galveston, on the 11th of September following, by Commander James Alden, then in command of the United States steamer South Carolina.

In reply to your wish to be informed of the disposition since made of the Soledad Cos, I have to state that copies of your note and its accompaniments will be submitted to the Secretary of the Navy, with the request to communicate the desired information to this department, and which, when received, will be transmitted to you.

I have the honor to be, with the highest consideration, your obedient servant,
WILLIAM H. SEWARD.

Señor MATIAS ROMERO, *Washington, D. C.*

No. 23.

CLEARANCE OF FRENCH TRANSPORTS FROM SAN FRANCISCO TO MEXICAN PORTS ON THE PACIFIC.

List of papers.

No. 1.	Letter from the Secretary of War to the Senate, transmitting correspondence on the same subject	Jan. 31, 1865.
No. 2.	Mr. Romero to Mr. Seward, (with one enclosure)	Aug. 2, 1864.
No. 3.	Mr. Seward to Mr. Romero	Aug. 3, 1864.
No. 4.	Mr. Seward to Mr. Romero, (with four enclosures)	Aug. 6, 1864.
No. 5.	Mr. Romero to Mr. Seward, (with one enclosure)	Aug. 10, 1864.
No. 6.	Mr. Seward to Mr. Romero, (with two enclosures)	Aug. 11, 1864.
No. 7.	Mr. Seward to Mr. Romero	Aug. 16, 1864.
No. 8.	Mr. Romero to Mr. Seward, (with one enclosure)	Aug. 18, 1864.
No. 9.	Mr. Romero to Mr. Seward	Aug. 19, 1864.
No. 10.	Mr. Seward to Mr. Romero	Aug. 25, 1864.
No. 11.	Mr. Romero to Mr. Seward	Aug. 25, 1864.
No. 12.	Mr. Seward to Mr. Romero	Aug. 27, 1864.
No. 13.	Mr. Romero to Mr. Seward	Aug. 30, 1864.
No. 14.	Mr. Seward to Mr. Romero, (with four enclosures)	Dec. 14, 1864.
No. 15.	Mr. Romero to Mr. Seward	Dec. 24, 1864.
No. 16.	Mr. Romero to Mr. Seward, (with one enclosure)	Dec. 29, 1864.
No. 17.	Mr. Seward to Mr. Romero	Jan. 28, 1865.
No. 18.	Mr. Romero to Mr. F. W. Seward	April 9, 1865.
No. 19.	Mr. Romero to Mr. Seward, (with one enclosure)	April 9, 1865.
No. 20.	Mr. F. W Seward to Mr. Romero	April 10, 1865.
No. 21.	Mr. Romero to Mr. Hunter, (with one enclosure)	April 28, 1865.
No. 22.	Mr. Romero to Mr. Hunter, (with two enclosures)	May 9, 1865.
No. 23.	Mr. Hunter to Mr. Romero	May 11, 1865.
No. 24.	Mr. Romero to Mr. Hunter	May 12, 1865.

No. 1.

Letter from the Secretary of War, communicating, in answer to a resolution of the Senate of the 6th of January, 1865, communications from Major General McDowell, commanding the department of the Pacific, in relation to a recent attempt to send arms and munitions of war out of that department to Mexico.

WAR DEPARTMENT,
Washington City, January 31, 1865.

SIR: I transmit herewith the Adjutant General's report, accompanying communications from Major General McDowell, commanding the department of the Pacific, and the executive order dated November 21, 1862, in response to the Senate resolution of January 6, 1865, requesting "copies of all letters received from the commander of the Pacific department relating to a recent attempt to send arms and munitions of war out of that department to Mexico."

I am, sir, very respectfully, your obedient servant,

EDWIN M. STANTON,
Secretary of War.

The PRESIDENT *of the Senate.*

WAR DEPARTMENT, ADJUTANT GENERAL'S OFFICE,
Washington, January 31, 1865.

SIR: In compliance with your instructions indorsed on the Senate resolution dated January 6, 1865, I submit herewith copies of communications from Major General McDowell, commanding the department of the Pacific, dated August 17 and December 7, 1864, with accompanying papers, in relation "to a recent attempt to send arms and munitions of war out of that department to Mexico," and also a copy of the executive order dated November 21, 1862, referred to in General McDowell's letter.

I am, sir, very respectfully, your most obedient servant,

E. D. TOWNSEND,
Assistant Adjutant General.

Hon. EDWIN M. STANTON,
Secretary of War.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,
San Francisco, August 17, 1864.

SIR: * * * * * * * *

I have, in compliance with general orders, seized a large quantity of arms and munitions of war, which were being taken out of the country, nominally to go to Colorado river, but in reality to go to Mexico. They have been ordered for safe-keeping to Benicia arsenal. Part of them had been seized in Half Moon bay, after they had eluded the custom-house officers.

A French ship-of-war has been in this harbor for the last six weeks; she is said to be taking in supplies for the French fleet at Acapulco.

* * * * * * * * *

Very respectfully, your obedient servant,

IRVIN McDOWELL,
Major General, Commanding Department.

The ADJUTANT GENERAL *of the Army,*
War Department, Washington, D. C.

A true extract:

E. D. TOWNSEND,
Assistant Adjutant General

EXECUTIVE MANSION,
Washington City, D. C., November 21, 1862.

Ordered, That no arms, ammunition, or munitions of war be cleared or allowed to be exported from the United States until further order.

That any clearances for arms, ammunition, or munitions of war issued heretofore by the Treasury Department be vacated, if the articles have not passed without the United States, and the articles stopped.

That the Secretary of War hold possession of the arms, &c., recently seized by his order at Rouse's Point, bound for Canada.

ABRAHAM LINCOLN.

A true copy:

E. D. TOWNSEND,
Assistant Adjutant General.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,
San Francisco, December 9, 1864.

SIR: I have the honor to enclose—

I. A letter, dated November 2, from General Placido Vega, Mexican army, concerning some arms and munitions of war which he had purchased in this place to take to Mexico. Accompanying it is a copy of a correspondence between the collector of the port and the special agent of the Treasury Department and ex-Surveyor General Beale.

II. A copy of my answer to General Vega, dated November 26, with enclosures, marked A and B.

The correspondence so fully explains itself, that I need to add nothing concerning the subject of which it treats.

The seizure of these arms was reported in my letter of August 17, 1864, to the Adjutant General of the army. As it concerns officers of the Treasury Department, I beg to suggest, in justice to the collector, it be referred to the Secretary of the Treasury.

I have the honor to be, very respectfully, your most obedient servant,

IRVIN McDOWELL,
Major General, Commanding Department.

Hon. E. M. STANTON,
Secretary of War, Washington, D. C.

P. S.—This communication having been delayed at the request of Collector James, to enable his answer to be received, is now forwarded, December 19, with Collector James's letter of the 14th instant, with its enclosures.

Very respectfully,

IRVIN McDOWELL, *Major General.*

Official copy:

E. D. TOWNSEND,
Assistant Adjutant General.

WAR DEP'T, ADJUTANT GENERAL'S OFFICE,
January 28, 1865.

Un asunto de la mayor importancia para la defensa nacional de America, y en particular de la republica Mejicana, asunto de que ya tienne usted conocimiento, me obliga à tomarme la libertad por me dio de esta nota; de llarmar la atarcion de usted, pues del resorte de su autoridad depende unicamente la res-

olucion que puede salvarnos. De todas maneras suplico à usted que tenga la bondad de darme por escrito una contestacion definitiva.

En el mes de Abril del presente año me embarqué en el puerto de Mazatlan, Mejico, para este de San Francisco, encargado de una comision especial del gobierno constitucional, de aquella republica, a que tengo la honra de pertenecer, trayendo conmigo el cefe y oficiales, de estado mayor que me corresponden; asi como los fondos y cartas de credito necesarias para du eficaz desempeño. Inmediamente que llgué pro curé presentarme à las primeras autoridades de este Estado, para la que me dirigi por escrito y por conducto del Coronel Don Luis A. Fostado á los Excelenticimos Señores Gobernador Don F. F. Low y Comandante General Wright en Sacramento. Estando ausente el segundo de estas Señores solo el primero me contesto, teniendo la atencion de invitarmé con interes a que pasase á aquella ciudad á lo que me prepare en el acto, pero dicho Senor se anticipo bondadosamente viniendo á este lugar. Pasé luego á conferenciar con el circunstanciadamente, teniendo el gusto de oirle manifestar los mas vivos deseos por la salvacion de la nacionalidad Mejicana, ofreciendome su cooperacion particular, y ase guràndome quel el pueblo Americano estaba en tan buen sentido, que marcharia voluntariamente á pelear por Mexico con preferencia al sur en la guerra actual. Sin embargo, siendo la categoria de este magistrado estrana del todo à los resortes que me cravi necesarios para llevar à efecto mi comision occuri a los empleados de mas alto rango de la federacion que se halaban en este ciudad. Uno de ellos fué el Senor Don Tomas Brown, agente especial del tesoro de los Estados Unidos en la costa del Pacificio y comissionado privado del supremo gobierno, quien tuvo la bondad ne presentarme á los Senores empleados de su ramo, asi como al recomendable Don W. Farwell, gefe de la oficina de marina, y al comandante del cuerpo de ingenieros, en comision especial del supremo gobierno, General Don Edwardo Beale. Con la mayor especialidad commri qué á estos respectables empleados el objeto de mi mission, que se reducia sustancialmente á proporcionarme los elementos necessarios para rectrazar la usurpacion de Maximiliano an Mejico. Ellos se manifestaron entonces del mado mas patriotia, entusiasta, y de eididos defensores de la soberania de aquella republica, y me ofrecieron privadamente ayudarme en todo, ase gurándome que ese mismo era el sentimento del supremo magistrado de esta gran nacion, asi como del pueblo en general. Desde entovces en cuanto tune que obrar consulté con los referidos empleados, y muy particulamente con el Senor Brown por ser mayor su representacion publica. Est caballero fue de opinion, que me dirigiera oficialmente al Senor General Beale, participandole mi comision, y presentandole los credenciales del supremo gobierno de Mejico que autorizaban mis actos, con el objeto de que él hiciera mis veces en todo acreditandolo como la persona mas àpropósito en este estado por su representacion és influencia, para llevar á cabo con buen exito mi delicada comision. Asi lo hice y dicho caballero quedo muy satisfecho.

Habia ya concluido la compra de armanento y demas pertrechos de guerra en Neuva York y en este Estado, tenia listos los buques y arganizada enteramente un espedicion, felicitando à mi pais de ser realizado un negocio, al coval, proteste à usted, Senor General, se deberia en gran parte su salvacion. Fielmente habia seguido las instrucciones de los referidos empleados, haciendo todo bajo la mayor reserva para no comprometer en nada la neutralidad de su gobierno. Pero repentinaménte fueron removidos dé sus puestos, y aqui debo rendirle un homenage de gratitud, pues hasta el momento de ausentarse de este Estado, me dieron constantamente las mas evidentes pruebas de su amar hacia Mexico, confirmandose en todas sus partes los ofrecimentos que me habian hecho, en el noble fin de ayudar à aquelle republica hermana, tan infamemente imadida hoy por un tirano de la caduca Europa, y de conservar ilesa para siempre la

sagrada doctrina de Monroe, à la que debe necesariamente ser adicto todo habitante del continente Americano qua targa corazon y dignidad.

Llegado de Washington el Coronel Don Charles James, nombrado administrador de esta aduna maritima, le fui presentado en sur oficina por el mismo Senor Brown que me recoendó sus principos, los cuales me interesaba en conocer. El Senor Administrador hizo llamar luego à su hermano el Coronel y Licenciado Don Jorge F. James, quien le sirvió de interprete para manifestarme su decidida adhesion á Mexico y los deseos positivos, que abrigaba para ayuadarlo en todo en la actual situacion. Al dia siguiente me citó para el hotel "Russ House" en donde por medio de su mismo hermano me hizo iguales manifestaciones, répitiendolas sucesivamente por conducto de los Senores General Don John B. Friesbie, y Don Guilermo Barnes, personas de mi consideracion y confianza. Alambas conferencias me acompano el Senor Licenciado Don José Maria Aguirra de la Barrera. Par todos estas razones, no dudaba duel buen éxito, contando ademas un la cooperacion del comandante del vapor "Shubuck," D. C. Scammon, guarda-costa situado en esta bocano. Yo me crei obligado a connuicar al mencionado hermano del Senor Administrador, que me habia ofrecido acompaname a Mexico parva prestar sus servicios en la cuestion actual, que tenia ya listo un buque cargudo de efectos de guerra, suplicando le que me ayundase á cargar otro con los demas depósitos que tenia en esta plaza, para lo cual se hallaba dispuesta la goleta "San Diego." El se manifesto anuente á estos trabajos, pero al occurrir por uno, de dichos depositos que se encuentra hoy en la aduana maritima, y que sin dificultad se habia arreglado que se me entragasen por disposicion de los Senores Brown y Farwell, antes do que llegara el administrador presente, encontré con sorpresa que este Senor se ne guba de una manera absoluta, siguiendose desagradables discusiones verbales y par escrito entre los referidos Senores Brown, Beale y James, parte de cuya correspondencia accompano á austed en copia.

De aqui resulto un perjuici incalculable para la defensa de la causa continental, y muy particulamente de la soberania é independencia de Mexico. No paró en esto todavia. Sono que se mandaron vapores en persecucion del buxua que habia salido cargado, lo trageron y se mandó depositar en Benicia. Se me informo que este determinacion era de usted y al mismo tiempo del Provost Marshal General Masson y el administrador de la aduana; inmediatamente comisioné al Señor Licenciado D. Guillermo Barnes, para que conferenciase con usted suplicándole que se me devolviesen los efectos de guerra embargados; en contestacion se me dijo que se havia asi "un poco despues" lo que hasta hoy notra tenido lugar, pues por el contrario sehar mandado recogea otros dos depósitos que existian por mi cuenta en esta ciudad de orden de usted segun el provost marshal. El numero de armas detenidas por disposicion de usted es el de quince mil dos rifles y otras municiones, y cinco mil rifles mas por el Senor Administrador en los almacenes de la aduana.

A la seusatez y recto juicio de usted, Senor General, dejo el considerar cual sera mi situacion al ver que se me entarpea todo movimiento, por empleados de la federacion y autoridades nombradas por el mismo gobierno general á quienes me confiè cregamente pues afroyaban en vez de reprobar mis actos, fundàndome con razon en ello paralle nar mi comision en este pais, en cumplimiento de las ordenes é instrucciones qué tengo por escrito del supremo gobierno de Mejico y que me honrarué en presentar a usted habiéndelo hecho ya con anticipacion at ex'mo gobernador del Estado, lo mismo que facturas, contratos, y conocimientos, sirviéndose hacer de interprete ó traductor el Señor Tesorero General del Estado, Don Romaldo Pacheco.

Por toda mi conducta, se persuadiron usted que yo vine sin dispraz in secreto de ninguna especie, discausando en que defendemos las mismas instituciones y en las simpátias tantas veces espresados de su pueblo y gobierno. El mio creyó fundadamente que este era el pais mas á propósito para negocios de tal

importancia y del que debiamos esperar mas ayuda. Como al principio pude remitir algunos efectos, solo con tomar precauciones para no comprometer á nacié como despues otros en considerable número fueron detenidos en la aduana maritima de est puez, á por aviso que dió el dueno del vapor a loque justamente no debió negarse la oficina, pero fueron puestos á mi disposicion, al dia siguiente, adquiri la mayor confianza y seguí haciendo mis, compras al contado y al crédito en grande escala, para vertas hoy detenidas y sin saber cuando serán devueltas. Por noticias fide dignas se asegura que el enemigo, bloqueará é invadirá por tierra los Estados de Sinaloa y Sonora que es en donde debo hacer mi desembarque, asi es que el dia en que se me devuelvan no seran ya quizas tan urgentes y necesarios come hoy.

En lo reservado se me ha asegurado que la providencia de recojer el armamento y demas municiones de guerra es para prevenir un levantamiento deseparatistas, que por la públicá exaltacion en las elecciones presidenciales deberia tener lugar el 8 de Noviembre proximo; que pasado ese dia, ha ofrecido usted devolver todos los depositos. Mucho estimana que se serviera usted decirme si se llevará á efecto la devolurion, que por lo que hace al movimiento mencionado no puedo creerto; pero si asi fuera solo presentaria una razon mas, de conveniencia para que esas municiones salgan del pais, lo que yo me comprometo solemmente á hacer, pues tengo los buques listos mucho tiempo hace, pagándoles estadias con la esperanza de que me dejaran marchar de un momento a otro, invirtrendo en este gastos de tal consideracion que podria con ellos haber comprado los buques, y aun cuando no lleven el cargamento, tengo que satisfacertes el flete lo que forma una suma respetable. Yo no debo hacerme la ofensa de suponer que se desconfin de mi timiendo que yo fuera á hacer mal uso de esos pertrectos de guerra. Usted conoce bien mio principios y los del gobierno de que dependo, le consta á usted la conducta del Ejercito de Mejico unido ultimamente con el Americano en el combate; los Mejicanos leales dan dianamente pruebas de su adhesion á la causa del norte, dos periodicos Mexicanos que se publican en esta ciudad, intitulados "La voz de Mexico" y "El Nuevo Mundo" se hallan hoy consagrados á habajar por la Union, afroyando de una manera absoluta la candidatura del partido republicano; varias personas y entre elles el Senor President del club central de la Union en el Estado Don T. A. Bryant saben bien la parte activa que yo he domata influyendo en mis compatriotas que tienen derectio de votar para que lo hogan en favor del partido republicano, que es el partido del parvenir y de la humanidad y aun los que no tengan voto prestar la ayuda que les sea dable, por todas estas razones creo que ni ámi ni á mis compatriotas debe desconfiársenos.

El Senor Don Guillermo Barnes à quin como dije á usted antes comisioné para que procurase la devolucion de las armas, no solo me hizo consentir en que me serian entregadas, si no que me aseguro que de no efectuarse asi ofrecian pagarlas à su costo; á lo que contesté que hoy en mas necesario á Mejico un rifle que mil pesos, y que con nada sepodria indemnizar el mal. Pero siendo que la devolucion se dificultaba entregué al mismo abogado, facturas contratos, &c., &c., para su pago, y despues de varias vueltas me manifestó que era una suma muy fuerte, y por lo mismo no podian facilmente pagarla. En esos dias se fué uster violentamente à los Estados de Oregon y el mismo Senor me informó que el Provost Marshal que aba con facultades para tratar de este negocio. Se le habló y aunque al principio obreció devolver todo, cuando se ocurrió á et de una manera formal, resultó que no entregaba nada, no pudienda conseguir, ni el recibo correspondiente con esto, no tuve mas recurso que aguardar el regreso de usted. Recardara usted que al volver, el Senor Barnes se le acercó para conseguir al menos el recibo, pero usted le manifestó segun sé la mejor disposicion, anadiendo que no habia necesidad de dar recibo cuando se iban á entregar las armas y municiones, encargando unicamente que se practicara el negocio con sigilo, pues si se le daba parte tendria necesidad de proceder.

Yo me empene en que se me fijara el dia de la entrega, pero no fué posible, respondiéndoseme solo que de un momento á otro. Despues de tanto ofrecimiento y viendo que no se cumplia ninguno no pude menos de pedir a usted una entrevista particular por conducta del Reverando Doctor H. Bellows y del Es'mo Senor Gobernador, á lo que se presto usted bondadosamente, teniendo lugar en Sacramento. Aquir no puedo abstenerme de repetir a usted mi agradecimiento por la franqueza, sinceridad y demas muestras de aprecio con que usted me distinguió, manifestan dome que sus procedimientos en contra de mi le eran muy sensibles, pero que siendo en cumplimento de instrucciones supremas, no estaba absolutamente en su mano el modificarlos. Esto, Senor, como era natural me causó una impresion altamente penosa, pues tales ofertas solo me han constado tiempo, disgustos, dinero, &c., &c.

Creo que le siguiente llamarà la atencion de usted. El Senor Administrador Coronel Don Charles James, me mando decir por conducto de mi abogado el Senor Barnes, y no podia menos que corresponder á la brillante conducta, observada por los Mejicanos republicanos en Mexico y en este Estado, y por lo mismo si lo tenia á bien me preparase á salir. Me aliste en efecto, sin omitir sacrificios, emprendé immediatamente gastos, sin pensar por supuesto aprovechar el ofrecimiento que se me hizo, de fondos, pues aunque realmente se me hubieran franqueado, nunca los habria aceptado y si agradecido. Cuando le avisé que todo estabalisto, me contesto que podia disponer solo de los 5000 rifles que estan en los almannes de la aduana, pagando $8,984 80. Ocho mil novecientos ochenta y cuatro pesos, shenta centavos, que decia importar los derechós, cuyo antecedente targe en mi poder ranisido por el mismo. No me di por entendido de la grave falta de no cumplir el primer ofrecimiento por que se trataba de un dinero que yo debia desembolzar, pero si me fué duro que no so entregase todo, cuando ya tenia hechos los gastos de da embarcaciones.

Sin embargo guardé silencio para no dar pretesto á que todo fracasara; unicamente le manifesté que era muy dificil sacar la referida suma que debía serpor lo menos, (de $10,000,) diez mil pesos, por los nuevos gastos debidos á la mayor dilacion, que francamente tenia que despues de sacar las armas de la aduana la comandancía fuera á tomarlas, pero que á pesar de todo havia un grande sacrificio y le entregaria el dinero, siempre que bajo su palabre de honor me garantizara un buen exito. Entonces me contestó que aguardase ocho ó diez dias á lo mas que iba á mandar los vapores guarda-costa lejos de aqui, y que entonces podria con seguridad salir en una noche. Tuve que enferar mí impaciencia y convenir. Me fué luego fuera de la ciudad emprende gastos, para agenciar la cantidan de $10,000, y entregar la que he mencionado para recibir mis armas. Se viene el ultimo plazo de diez dias, y despues de pasar por mil dificultades me presentó á decir que estan listos los fondos, la embarcacion, los carretones, &c., que se me diga que noche es el embarque, por haberseme indicado que así debía hacerse. Se me contestó que el martes, 24 de Octubre, a cuya fecha estuve punctual, pero cual sabe mí sorpreza é indignacion, Señor General, cuando en contestacion, se me hace saber que usted y el señor administrador se han servido dirigirse por el telégrafo al gobierno general empemandose para que se modifique el órden que existe con relacion á estos efectos de guerra, ó que en ultimo caso se mandar pagar en oro, y que muy pronto tendran la respuesta, por ser estos depositos dignos de la mayor consideracion. Aquí me tiene usted hoy con mí crédito particular comprometido en todos sentidos, mis acreedores de liqranzas ya vencidas cobrandome sin dejarme un momento de reposo, y mí carrera publica cortada, perdiendo así en este vez los sacrificios de toda mí vida, y lo que es mas, seno, sin estar en donde puedo servir de algo a mí pais, en momentos tan supremos y oportunos par todo hombre publicio de honor. El 13 de Octubre conferiencié en el Cosmopolitan Hotel con el Sor. J. A. Bryant, suplicandole se sirviese obtenir de V., interponiendo igualmente el influgo del Senador Conness, conocimiento de si podria obtenir las armas del deposito de Benicia,

así como del señor administrador si se allanaba a que sacase los que estan en el aduana y el dia 19, por medio de Don Antonio Mancillas, editor de la "Voz de Mexico," me dijó dicho señor que veria al administrador, y que al solicitar et influjo del Sor. Conness, le manifeste éste que tenia conocimiento del negocio, ytenda entendido por el administrador que ese asunto estaba arreglado, y era por demas el dar mas pasos sobre èl. Ya se havisto sin embargo cual ha sido el resultado.

Si mi gobíerno hubiara salido que se desaprobaban estas compras, no se habria aventurado con cosas de tal naturaleza, y menos con asunos de que daesum pende en gran parte la salvacion de un pais. Jamas se creyó que pudiera esto ser prohibido, y menos que hubiera órdenes militares que fueran violadas ó que en algun respecto se atropellaban leyes ventisticas, ó cualquiera otro estatuto del Estado ó del gobierno general, siendo la justificacion de esto el haber tenido siempre conocimiento de toda mi conducta los empleados y autoridades de mas rango de ambos gobiernos.

Se dirá tal vez que las providencias de que me quejo han sido tomados par hacer observar las leyes de neutralidad, pero esto yo no le reo bastante claro, puesto que a los franceses se les remiten semananamente de este puerto, buques cargados de viveres por varias casas de comercio, y muy en particular por la de Don Teodoro Lemmen Mayer ugualmente que hombres á bardo de los mismos buques en calidad de pasageros. Esto es precisamente lo que necesitan los buques de guerra franceses que atacan á Mexico, los hombres para reemplazar las bajas que tienen por muerte ó desersion, y los viveres por que no pueden sacar los del interior del pais. Usted recordará de enando pasé su comandancia á mostrarbe la commicion que por el telégrafo dirige al Señor Ministro de Mexico en Washington, durante los muchos dias que el trasporte frances de guerra de Rhine permaneció en este puerto cargando viveres y usted vio igualmente la contestacion del dicho senor ministro que en haberse quejado al gobierno general. Usted me respondió que no podia dictar ninguna medida sobre el particular por no tener ningunas ordenes ó instruciones de en gobierno. Yo le observe que me dingiria por escrito oficialmente, poniendo en su conocimiento tales abusas, y usted me contesto que podia hacerlo, pero que no podia dictar providencia ninguna. Varias reces me dirigé al Señor Administrador James por conducto de su hermano el Licenciado D. Gorge, para ver si despodian al buque de este puerto y siempre me contestaba que se iba á proceder, sin que nunca sucediera, hasta que concluyó de embarcar una gran cantidad de efectos y subditos franceses, arreglando el modo para que se les sigan mandando, y habiendo permanecido un uses en la batria á ciencia y paciencia de todo el mundo. Yo consulté con un abogado de nota de la ciudad, y me aseguro que ese procedimiento era contrario á las leyes de neutralidad? Pero es possible la neutralidad en semejantes circumstancias? Que leyes neutralidad peuden observarse con un cuerpo de ejercito que sin declaration ninguna de guerra y fallando desde el principio, a los mas serios compromisos de honor hacia un gobierno legitimamente instalado, y reconocido, penetra en un territorio estrangero valiéndose solo de la fuerza brutal insulta la soberani de la nacion, lanza un desafio á la America entera implantando un gobierno de su creacion y trayendo en las puntas de sus bayonetas una corona empapada con la sangre de millares de valientes, sacrificados á la loca ambicion de un tirano execrable? No es esa solda derca en realidad una chusma de filibusteros? Nadie puedo negar que este es su verdadero nombre, y por lo mismo ningun gobierno en el mundo puedo darle otro titulo segun los principios internacionales, y mucho menos un gobierno republicano que puede tenerse por dichozo al ver que su pueblo ilustrado jamas podria ajar su dignidad, manteniendose neutral hacia una gavilla de bandidos que lleva por delante la bandera del retrocese y la traicion, faltando de la manera mas escandalosa al respeto debido á la independencia de las naciones.

Siendo pues de derecho y de hecho poderosas en todas sus partes las razones que hé manifesto, solicito de usted se sirva levantar el embargo en cuestion, suplicándoselo encarecidament senor general en nombre de la America, y muy en particular de la republica de Mejico, digna de mejor suerte, a la que le resultarán beneficios incalculables, haciéndose el nombre de usted immortal en el corazon de todo buen Mejicano.

Concluyo esta larga comunicacion, suplicandole se sirva disculfranne aprovechando la opertunidad de manifestarle por honra de mis conciudadanos que habitan este suelo y que tanta pruebas de adhesion estan dando al gobierno republicano que los favorece sur mas mira que el triumfe completo de las instituciones del porvenir y del progreso, que desean con ardor se les distinga de los pocos seres corrompidos, retrógrados á imbéciles que del mismo pais se encuentran por degracia aqui, llevando impresa sobre su frenta la marca de Cain, siendo la destrona y oprobio de nuestra adorada patria.

Si el resultado es como lo deseo, todos los corazones leales y patriotas se unirán en una sola bendicion. Si por desgracia no es asi, yo me veré obligado á dar cuenta con el funesto termino de me comision al presidente de la republica y gefes principales á quienes constantemente he estado alimentando con las esperanzas que se me habian hecho concebir hasta el ultimo momento, siendo un golfe tanto mas duro cuanto que emaná de un gobierno que probesa los mismos principios y defienda la misma causa.

Protesto á usted senor general mi mas alta consideracion y respeto.

Independencia, libertad, y reforma! San Francisco, Noviembre 2 de 1864.

PLACIDO VEGA.

Señor General de Division Don IRVIN MCDOWELL,
Comandante en Gefe del Departamento del Pacifico.

Official copy:

E. D. TOWNSEND,
Assistant Adjutant General.

ADJ'T GENERAL'S OFFICE, *January* 30, 1865.

[Translation of the above.]

SAN FRANCISCO, *November* 2, 1864.

An affair of the greatest importance for the national defence of America, and especially of the Mexican republic, with which you are already acquainted, induces me to take the liberty of recalling your attention to it by means of this note, as the decision of the question by your authority is our only hope of safety; at any rate, I beg you to give me a definite answer to it in writing.

In the month of April of the present year I left Mazatlan, Mexico, for San Francisco, on a special commission from the constitutional government of that republic, to which I have the honor to belong, and brought with me my staff officers and the letters of credit necessary to the performance of my duty.

On my arrival I endeavored to have an interview with the chief authorities of this State, being recommended to Governor Low and General Wright in Sacramento, by Colonel Luis A. Fostado. General Wright being absent, I only met Governor Low. He invited me to visit that city; but, before I could get there he came to this place. I had a long interview with him, and was pleased to hear him express the best wishes for the preservation of Mexican nationality, offering me his personal aid, and assuring me that the American people would rather fight for Mexico now than fight against the south. But, as it was not in his power to aid me, my business being of a military nature, I addressed myself to the federal officers who happened to be in this city. One of them was Mr. Thomas Brown, special agent of the United States Treasury on the Pacific

coast, and secret commissioner of the general government, who introduced me to the gentlemen in his department, to Mr. W. Farwell, naval officer, and to General Edward Beale, chief of the engineer corps, on special duty.

I briefly told these gentlemen the object of my visit, which was to procure the means for driving the usurper Maximilian out of Mexico. They showed in the most enthusiastic and patriotic manner that they were in favor of the sovereignty of that republic, and offered to aid me privately in every way, assuring me that similar sentiments inspired the Chief Magistrate of the great nation, as well as the people in general. There I consulted the above-mentioned officials, particularly Mr. Brown, in regard to my business, because he was best known. He advised me to see General Beale, make known my business to him, show him my credentials from the supreme government of Mexico, authorizing my acts, and rely upon him as the most proper person to give me the assistance I needed. I did so, and he seemed much pleased.

Arms and other munitions of war had already been purchased here and in New York; vessels were ready; the expedition was perfectly organized, and I congratulated my government on the arrangement that was to be the salvation of my country. I had followed the instructions of the officers I consulted, preserving the greatest secrecy, so as to compromise no one, nor infringe government neutrality. They were soon removed; but I must here do them the justice to say they were faithful to their promises, and up to the time they left this State they gave the best proof of their friendship for Mexico by doing all they could to aid me in my efforts to save a republic, now invaded by a tyrant of decrepit Europe, and to sustain the Monroe doctrine, that every American of heart and dignity must uphold.

When Colonel Charles James, the new collector, arrived here from Washington, I was presented to him by Mr. Brown. He immediately sent for his brother, Colonel George F. James, a lawyer, who acted as interpreter, and revealed the object of my visit. He said he was decidedly in favor of Mexico, and would do what he could to aid me. I met him the next day at the Russ House with his brother, when he gave me the same assurances of his friendship; and I heard as much from General John B. Frisbie and Mr. William Barnes, persons whom I know and esteem. Don José M. Aguirre de la Barrera was with me on both occasions. Commander D. C. Scammon, of the revenue cutter Shubrick, in this port, also assured me of his favor, and I had no doubt about the success of my expedition. I told the collector's brother, who was to go with me in the expedition, that I had one vessel already loaded with munitions of war, but I wanted him to help me load the schooner San Diego with what I had left. He agreed to do so; but, on applying to Messrs. Brown & Farwell, at one of the custom-house stores, for the articles they had agreed to deliver before the arrival of the new collector, the latter denied that he had entered into such an agreement, and an unpleasant verbal discussion, as well as a correspondence in writing, occurred between Brown, Beale, and James, copies of a part of which I enclose with this.

This will be of great damage to our national cause, and particularly to the sovereignty and independence of Mexico. But this was not all: steamers were sent after the vessel that had already cleared, and it was caught and sent to Benicia. I was told this was done by an order from you, with the advice of the provost marshal, General Masson, and the collector of customs. I immediately sent Mr. William Barnes to request you to return me the munitions of war that had been seized. I was told that I must wait a while; and while I was waiting, orders were issued to seize other effects I had on deposit in this city. The number of arms seized by your order is 15,002 rifles and other munitions, besides 5,000 more in the custom-house stores.

I leave it to your good sense and judgment, general, to depict my astonishment at being thus prevented from executing a commission intrusted to me by

my government, when I was encouraged by the officials of yours. I am ready at any time to show you my instructions from the supreme government of Mexico, as well as the invoices, agreements, and bills of lading I have on hand, and your State treasurer, Don Romaldo Pacheco, offers to be the interpreter or translator of them.

You may rest assured that I came here without disguise, trusting to a government with similar institutions to ours, and whose people had so often expressed their sympathy for us. We thought this was the country that would give us help, and here I came to seek for it. At first I was allowed to send off my purchases, provided I did not compromise anybody. True, some were seized, but they were released the next day, and I went on making my purchases, for cash and on time, on a large scale; and now I hear that my goods are seized once more, and cannot learn when they will be given up to me. I have reliable information that the enemy will blockade the ports of the States of Sinaloa and Sonora, and invade them by land—the very States where I designed to ship my goods; so that it may be too late to do any good, if my effects are not immediately released.

I have been told that the arms and munitions of war were seized for fear of secessionists at the presidential election, which is to take place on the 8th of November next, and after that time they will be given up to me. I would be very much obliged if you would order them to be delivered to me now, as I cannot believe in the report of the revolt, and I will give security that they shall be sent out of the country immediately, for I have vessels ready to take them, and am paying demurrage in expectation of the cargo. This sum is so large it is sufficient to buy the vessels, and I shall have to pay the freight whether they go or not. I cannot do myself the injustice to think I am suspected of wishing to make an improper use of these arms. You know my government and are acquainted with my character; the union of the Mexican and American armies in a recent combat proves they are friendly; loyal Mexicans give daily proof of their adhesion to the northern cause; the two Mexican papers published in this city, La voz de Mexico and El Nuevo Mundo, are devoted to the Union cause, and support the republican candidate; Mr. T. A. Bryant, president of the Central Union Club, knows I advised my countrymen to vote the republican ticket, as the humane party, and those who had no vote I advised to aid in every way; for these reasons I think neither me nor my countrymen should be suspected of wrong.

Mr. William Barnes, whom I commissioned to request the return of the arms, assured me they would be restored, or he would pay the costs. I told him one rifle was of more use in Mexico now than a thousand dollars, and that no sum could pay the damage if they were detained. About this time you went to Oregon, and I was told the provost marshal had authority in the affair. He was spoken to on the subject, and at first promised to give up the goods upon a formal petition; but nothing was done, and I had to wait for your return.

On your return, you will recollect that Mr. Barnes asked you for a receipt, and you said one was not necessary, as the goods would soon be given up. You advised secrecy, as it might cause some trouble if made public. I insisted upon having a day fixed for the return of the goods, but could get no satisfaction; all I could learn was, they would soon be given up. After these many vain efforts to obtain satisfaction, I requested a private interview with you through the Rev. Dr. H. Bellows and the governor. This was readily granted to me in Sacramento. I cannot here refrain from repeating my thanks for your sincerity, when you informed me that what you had done was in accordance with superior instructions, and you could not possibly modify them, whatever your wishes might be. This naturally gave me much pain; for I had been encouraged to waste my time, money, &c., &c.

I will call your attention to this circumstance: Mr. Charles James, the col-

lector, had lauded the conduct of the Mexicans in this State, and had made known to me, by Mr. Barnes, my attorney, that I might prepare to leave. I set about the preparations, sparing no expense, not accepting funds that had been offered me, but thankful for every kindness. When I told him I was ready, he said he could only let me have the 5,000 rifles in the custom storehouse upon the payment of $8,984 80, the amount of the duties upon them. I did not understand why he could not comply with the first promise, and deliver the whole of them; for I had already gone to the expense of chartering the vessels.

However, I kept silent, so as not to give a pretext for other failures; and I told him it would be difficult to raise the balance, which would amount to $10,000 at least; but I would pay it, if he would guarantee my success. Then he told me to wait eight or ten days, when he would send the coast-guard steamers off, and I could go out by night without fear of them. I had to curb my impatience and consent to this. I went out of the city to raise the $10,000 promised, and was gone ten days. On my return, I told him everything was ready, and asked him when the arms could be embarked. He said, on the 24th of October. I was punctual to the day, but judge of my surprise and indignation when I was told that you and the collector had telegraphed to the general government, asking a revocation of the order in regard to these arms, and had not yet received an answer. And now, here I am, my good name ruined, my creditors giving me no rest, my public career at an end, thus losing the labors of my whole life, and what is worse, in a situation where I can be of no use to my country, at a time when the services of every loyal man is generally needed. On the 13th of October I saw Mr. J. A. Bryant at the Cosmopolitan hotel, and asked him and Senator Conness to try and get me the arms deposited in Benicia. On the 19th, Don Antonio Mancillas, editor of the *Voz de Mexico*, told me he would see the collector and try to get those in the custom-house. He said the affair was arranged; but you see what the result is!

If my government had known that these purchases would have been disapproved, it would not have ventured here, with a business of such vital importance to the country. Nobody thought the purchases would be prohibited; we did not dream of violating military orders or custom-house laws, or any statute of the State or general government. To prove this, I assert that my business was known to the high authorities of both governments.

It will perhaps be said that these steps were taken in accordance with the laws of neutrality, but I do not see it in that light; because vessels loaded with provisions are sent to the French every week, from this port, by various firms—particularly by Theodore L. Mayer—and men taken on as passengers. This is just what the French vessels attacking Mexico need—men to fill their losses by death or desertion, and provisions to feed them, as they can get none from the interior of the country. You will remember when I called at your office to show you the telegram I sent to the Mexican minister in Washington, at the time when the French war-transport Le Rhin was taking provisions in this port, and you saw the minister's reply, in which he said he had complained to the general government. You told me you could give no further orders, as you had no instructions from your government.

I requested you to address me an official note concerning these abuses; you said you could do it, but it would be of no use. I applied to the collector several times, through his brother George, to give me a clearance for my vessel; he said he would, but never did it; while French goods and men were sent off every week, to the knowledge of everybody. I consulted a lawyer of note in the city, and he assured me this was against the laws of neutrality.

Neutrality is impossible under the circumstances. What laws of neutrality can be observed towards an army that, against every principle and without a declaration of war, attacks a government legitimately organized and recognized,

invades foreign soil by brute force, insults the sovereignty of the nation, and challenges all America by forcing a government upon the people, with bayonets bearing a crown died in the blood of thousands of brave men, sacrificed to the crazy ambition of an execrable tyrant? His army is, in fact. a mob of fillibusters, and can have no other title. How, then, can a neighboring republican government remain neutral towards a gang of robbers, bearing the banner of treachery and destruction before them, and scorning all respect to the independence of nations?

Now, since my arguments are powerful in law and in fact, I respectfully re quest you to raise the embargo in question, and I beseech you earnestly to do it in the name of America, and of Mexico, worthy of a better fate. Do it, and you will benefit Mexico so much, your name will be immortalized in the heart of every loyal Mexican.

I will conclude this lengthy communication by begging you to excuse me for accepting the occasion to praise my fellow-countrymen who reside in this State, favoring its institutions of humanity and progress, and differing from those who have the mark of Cain upon their foreheads, a disgrace to our adored country.

If the result is as I expect, all our loyal hearts will unite in one single benediction of your name. If the contrary, I shall be compelled to give an account of the sad termination of my mission to the President of the republic and officers whom I have encouraged with the hopes of help that was promised me by a country that entertained the same principles and defended the same cause as ours.

Accept, general, the assurances of my highest consideration and respect.

PLACIDO VEGA.

General IRVIN MCDOWELL,
Commander in Chief of the Department of the Pacific.

Copies of correspondence between Thomas Brown, agent of United States Treasury, E. F. Beale, surveyor general, and Colonel Charles James, custom-house collector.

OFFICE OF SPECIAL AG'T OF U. S. TREASURY FOR PACIFIC COAST,
San Francisco, July 18, 1864.

SIR: The proposed re-exportation "to the place of original shipment" by the ———— of arms heretofore imported into the United States seems about to be defeated by your action as collector of this port, and this, too, I respectfully submit, without an adequate reason. The order of the President of the United States of November 21, 1862, forbidding the exportation of arms, &c., was, as you know, revoked by his order of September 4, 1863, in so far as to allow arms to be re-exported "to the place of original shipment." And such re-exportation was placed upon precisely the same grounds, and made subject to the same laws, with other articles of export.

I am advised that the captain of the ———— is ready and willing to comply, and has offered to comply, with all the laws and regulations of the United States regulating such cases, and to make the proper affidavit to entitle him to clear his vessel for the port of Hamburg. He asks no special privileges at your hands; he does not require any dereliction of duty on your part; he is willing that you should exact from him all that the law contemplates; and, having done this, your duty is at an end. What right have you to require more? You are not to make the law. When the laws and orders of the government which entitle a vessel to her clearance are fully complied with, what right have you to withhold such a clearance? When the proper officer of a registered American vessel, sailing under the American flag, offers to make the necessary affidavits to entitle him to clear his vessel for any port of any nation with which we are at peace, what right have you to refuse to hear him?

The laws give to the captain and owners of a vessel rights as sacred as any given to the collector of the port. It is their right to demand a clearance upon complying with those laws and the orders of the government. This they are ready and willing to do. They seek to evade no law or order of the government, and they demand, not as a favor, but as a legal right, that they be allowed to comply with such laws and orders, and that upon such compliance a clearance be granted them in accordance with their request.

But I am told you suspect that it is their intention to take these arms to Mexico, and therefore you will not allow the vessel to clear for Hamburg. Are you not, in this matter, going beyond the strict line of your duty? When you have seen that parties have complied with all the requirements of the law, is not your duty fully discharged? The law has determined the manner in which you shall get at the intention of the party navigating a vessel, and you cannot go beyond it. In the nature of things you can have no certain proof of a man's intention other than from himself, and the law has provided the way in which that shall be expressed under the solemnities of an oath. Having taken that oath, you will not be allowed to presume that the party who has so sworn intends to commit a perjury. Perjury is a grave crime, and is never to be presumed against a man under any circumstances. I may last week have intended to take my vessel to Hong-Kong; but to-day I determine to clear her for Hamburg, and I make the necessary affidavits for that purpose. Have you any right to refuse to receive my affidavit, or to presume that I am about to perjure myself, because I had formerly announced my intention of going to Hong-Kong? When you have taken my affidavit your duty is done; you have complied with the law. I have complied with the law also in so far, and you have no right to presume that I will not do so to the end.

You say you intend to be careful not to offend France by allowing, by any possibility, arms to be shipped to any country with which she is at war. I submit that if even these arms were intended for Mexico, France would have no occasion for offence. She is not at war with Mexico, and any discrimination in her favor would be on your part a work of supererogation.

I understand also that you think possibly this second order applies only to arms imported before its date. In this opinion, if you entertain it, I am sure you are wrong. The first order, dated November 21, 1862, reads, "No arms shall be exported from the United States until further order." Then comes the further order, dated September 4, 1863, which says, "any * * * * arms * * imported into the United States may be re-exported to the place of original shipment." The first order simply prohibits any exportation; the second allows the exportation, until further orders, of all arms "to the place of original shipment." Arms not yet *imported* could not be exported, but after their arrival they are entitled to *the full benefit of this second order* until it is annulled by a new one. Knowing that in this matter you are anxious only to do your duty, I am convinced that after careful reflection you must inevitably come to the same conclusion to which I have arrived, and will direct the arms to be shipped at once.

Allow me to say, in conclusion, that while I present these views as an American citizen, yet I do not desire to shirk any responsibility which they involve as agent of the Treasury Department.

Very respectfully, your obedient servant,

THOMAS BROWN.

CHARLES JAMES, Esq., *Collector, &c.*

COLLECTOR'S OFFICE, SAN FRANCISCO, *July* 19, 1864.

SIR: Your letter of yesterday, urging the export of certain arms from this port, has been received. The arms in question, two hundred and eight cases of

muskets, marked M. B., [G. F.,] were originally imported into New York on the 10th of March, 1864, by L. Marx & Co., from Hamburg, and entered for warehousing. On the 9th of April, 1864, they were withdrawn from warehouse by G. Tancher for transportation in bond to this port, and on arrival were re-warehoused. These arms have been transferred by Tancher to T. Lemmen Meyer, who has authorized Robert Haley to withdraw the same for export to Liverpool on board the American schooner San Diego, a vessel of $55\frac{91}{95}$ tons burden, of which Haley is master.

Haley subsequently offered to change the entry for Hamburg if it would obviate objection.

The President's order of November 21, 1862, declares that no arms, ammunition, or munitions of war be cleared or allowed to be exported from the United States until further order. The order of September 4, 1863, is to the effect that the original order be so far modified that any arms heretofore imported into the United States may be re-exported "to the place of original shipment." These arms, prohibited from export by the original order, clearly do not come within the rule laid down by the modification as entitled to re-exportation. They were not *heretofore*, that is, prior to the date of the second order, imported into the United States.

The export will not be permitted.

The international question I do not discuss; nor is the question of destination in this case important.

You informed me that the arms were, in fact, intended for Mexico.

Respectfully,

CHARLES JAMES,
Collector.

THOMAS BROWN, Esq.

SAN FRANCISCO, *Saturday, July* 16, 1864.

SIR: I desire, as a last hope of turning you from what I conceive to be the purpose of your mind, to present to you, in written form, some of the arguments I addressed to you verbally this morning; not only with the last hope of turning you from your purpose, but also that I may put on record the earnest and solemn protest of at least one of our countrymen to the course you are, I fear, about to pursue. I desire to talk to you very plainly, as one citizen of a republic to another; as one out of office and without power, but devoted to the institutions of his country, to another in office and in power who is about to lend his aid to the extinguishment of the last feeble flame of republicanism in a neighboring country.

Whether, if you will take my counsel, fame will reward you or not, I cannot tell; but I do know and believe enough in the brave, liberty-loving American heart to say, if you reject it, your name will be rendered infamous for all time. You will be regarded as the modern political Judas who has betrayed liberty with a kiss.

With the ruin of your party all sorts of unjust but natural suspicions will attach to your name. You are known to have had frequent and cordial interviews with the consul of France, and you will be seen by the thoughtless multitude through a flood of French gold, which will be believed to have overwhelmed your integrity. And what is worse, you will have the bitter consciousness of having deserved all this; for what are you about to do? You leave your position as the collector of the port of San Francisco, and at the bidding of the French consul you go into an inquisition as unwarrantable and illegal as

it is complaisant and contemptible. Can you intend to construe literally the Bible injunction of turning one cheek when the other is smitten? Is it because France refits and reprovisions the confederate Alabama that you thus repay her? Is it because a French vessel carries the challenge of Captain Semmes from a French port to the Kearsarge that you give up Mexico for France? For which of the very friendly acts of that country towards our own are you ready, willing, and anxious to sacrifice the last hope of a sister republic struggling for life and beseeching our aid? View the matter from any point you can, and justify it to an intelligent and indignant people hereafter if you may.

You say you have the government orders not to allow arms to go to Mexico. Admit it; but you must know the government, in its present straits, is frequently obliged to say one thing and mean and wish another. But suppose you have these orders: if you cannot evade them, disobey them; and if the government does not approve your action, go out of office with the consciousness of having done at least one good thing, rather than with the curses of millions of your own countrymen and the everlasting infamy which will otherwise attach to your name. I tell you that if these arms reach Mexico she will regain her liberties; but if, through the pusillanimous complaisancy of our government, by you, its agent, she should fall to the tender despotism of Austria, your name will become the synonym of everything that is humanly base wherever the democracy rears the flag of a free people.

To do what you are doing, or contemplate it, is to go beyond your duty, and to usurp a power your office does not confer.

You are taking a responsibility, not in aid, but in oppression of an ally; you are doing a cruel, wicked, treasonable thing. Mexico is about to fight our battles for us; she is about to save us millions of treasure and precious lives; she is about to save us a war with Europe, *if you*, with the known consent of your government, will only let her. Will you dare to refuse her arms for these purposes? More than this. If Mexico is subjugated, France will take Sonora as an indemnity for her most unjustifiable war. She will take Matamoras on the one side, and Guaymas on the other, and, with a railroad of only six hundred and fifty miles, connect the two, and control the mouth of the Colorado and that vast eastern commerce which has formed the magnificent dream of the giants in American statesmanship who have lately passed away, and whose ghosts will upbraid you with your recreancy. Have you the nerve to dare and defy such consequences? The very situation of Mexico commends her to our sympathies. She is the "sick man" of our continent, and instead of the good Samaritan, you purpose to collude with the thieves and robbers who have wounded and beset her.

My dear sir, I tell you, and forewarn you, if you have a political hope or aspiration in the near or distant future, and you do this act, go and bury your dead infant in the same grave in which you will have buried Mexican independence; for if there be a just God, a stump-speaker, or a newspaper, there shall not be a man, woman, or child, who will not know that it is to you we owe all the inexpressible woe, suffering, mortification, and sin which will follow such treachery to a natural ally and distressed republican neighbor.

But God forbid I should use to you the language of menace, for you are, like myself, an American citizen, and cannot but feel your blood boil at the wrongs which another republic has suffered, and the insult to your own country which has been inflicted, in the contemptuous disregard by France of one of the cardinal articles of American faith—the Monroe doctrine.

On the continent of America, and in the nineteenth century, are you willing to checkmate the advance of liberty with a king? If you are not, I implore you in the name of your party, of your own hopes and your country, in the name of republican institutions, in the name of the great commons of America, who will assuredly impeach you to all posterity if you betray freedom in their

name, and finally in the sacred catholic name of liberty itself, to give these arms to Mexico.

Your own conscience must approve this act, and your countrymen are waiting to applaud it.

Very respectfully, yours. &c., &c.,

E. F. BEALE.

CHARLES JAMES, Esq.,
Collector of the Port, San Francisco, Cal.

CUSTOM-HOUSE, SAN FRANCISCO,
Collector's Office, July 20, 1864.

SIR: I have read the communication you handed me last evening relative to the export of arms. It was a mistake to suppose that the language of menace, contumely, and insult would induce me to disregard the express order of the President of the United States. Intimidation, not usually a powerful argument, will be found impotent in this case. Mr. Brown writes me that the proposed export is for Hamburg; the entry was presented for Liverpool.

You both tell me the arms are intended for Mexico. If the last statement be true, who is to commit perjury by swearing to the entry? Is he to be a devotee of freedom and intrusted with these arms which you speak of, as the last hope of Mexico? At the very threshold of the plot stands this crime. It must be committed by some one if the design is carried out. I will neither connive at, promote, nor cloak it. My duty in the matter is plain, and I can neither be bullied, wheedled, coaxed, nor cajoled from performing it

The President has *ordered* that no arms be cleared or exported, except such as come within a rule which he has designated. These arms do not come within that rule, and are therefore subject to the prohibition. I shall enforce the order. I did so against our best citizens owning mines and representing immense interests in Mexico when I stopped the exportation of blasting powder-to that country, to which export the French consul was ready to consent. In this action the government sustained me, and refused to allow the export even on special application of known loyal and responsible citizens, who were ready to give every security that the powder should be used for blasting and nothing else.

Every available influence, including joint resolution of the legislature, signed and forwarded by the governor, was brought to bear upon the government to induce it to change its determination, without effect.

I do not desire the good opinion of those minds (few I must think them) who see French gold, or any base motive, in the simple performance of duty. It is not my province to dictate the foreign policy of the government. I execute laws—I do not make them; and if I did, what security have I that these arms might not fall into other and very different hands than those intended? Depend upon it, I shall not betray a trust for applause or to escape anathema.

Respectfully,

CHARLES JAMES, *Collector.*

General E. F. BEALE.

A true copy:

E. D. TOWNSEND,
Assistant Adjutant General.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,
San Francisco, November 26, 1864.

GENERAL: I have to reply as follows to the official communication, dated the 2d instant, which you did me the honor to place in my hands.

You inform me that the object of your visit to this place was to buy arms

and munitions of war for the republic of Mexico, and to forward them to that country to be used in actual war against Maximilian and the French; that on your arrival you sought interviews with Governor Law, the governor of California, and General Wright, commanding the department of the Pacific; that you placed yourself in communication with the highest government officials in this city, acquainting them fully with the object of your mission, and that throughout you acted not only with their acquiescence, but in conformity to their instructions. You name Mr. T. Brown, the special agent of the Treasury Department, Mr. Edward F. Beale, the then United States land surveyor general, and Mr. Farwell, then and still the naval officer of this port, as the officials who acted with you in the affair.

You say I must be convinced from your statement that you came here undisguised and openly, believing this to be the country best adapted to the objects you had in view; that it was never thought that any opposition would be offered to your acts, and still less that the military regulations would be violated, &c., &c.; that you felt justified in your course of conduct, from the fact that the highest officials and authorities of both the State and general government were aware of all your acts; and that to my strict sense of justice you leave the consideration of your position in seeing yourself hindered in every movement by the officials and authorities of the very government in which you had blindly confided since they approved instead of censuring your actions.

Before going further into the statement of your case, I feel called upon, in justice to my predecessor as well as myself, to say that the foregoing must, at least, be qualified by the fact that the military department of the United States in this country, which was the branch of service your acts particularly concerned, were not informed of your proceedings until called upon by the collector to aid in seizing the arms you had taken out of the port—taken, not only without a clearance at the custom-house, but in direct violation, I was informed, of the injunctions of the collector, who had refused to grant a permit for the arms to leave the country; and further, that this refusal of the collector, and the seizure, after you had attempted to secretly carry off the arms, were acts done in conformity to the most explicit and peremptory orders of his excellency the President himself, (a copy of his order is herewith appended, marked (A.) This order was published at its date in the most public manner. You, being a stranger, and not acquainted with our language, may not have been aware of it, but your associate, Mr. Brown, was, for I see in the copy of correspondence between himself and the collector, which you sent me, that he refers to it, and it was precisely that order that was the principal cause of the controversy between him and the collector.

The collector and other officers of the Treasury Department implicated in your letter being under a separate branch of the government, and in no way amenable to my authority, I will not touch on any of the allegations concerning them further than to say that I have had nothing to do with any of them except the collector, and with him, so far as your acts are concerned, only to aid him, on his own application, in enforcing the orders of our common superior, the President. I shall refer your letter, together with a copy hereof, to the collector for such answer to so much as concerns him or his department as he may consider proper to make to you.

I will also avoid so much of the matter presented by you as refers to the late surveyor general, Edward F. Beale; for, as the nature of his office could give him no official cognizance of the matter, his action in the premises was purely personal, and because I have never had anything to do with him concerning you.

Whilst there seems to be much complication in your affairs from your point of view, the part, as military commander, I have had in them is quite simple.

As I have already said, I knew nothing of your proceedings from you until after the arms were, in part, seized in Half Moon bay. After that I received a

visit from your lawyer, Mr. Barnes, and one from yourself in this city, and subsequently another from you in Sacramento.

Your lawyer admitted the arms were destined for Mexico, and informed me there were other arms and munitions belonging to the same lot, also intended for the same destination. As the ordinary precautions of custom-house regulations, orders, inspectors, and the revenue cutter, (a sail vessel,) had been inadequate to prevent you getting part of your arms and ammunition out of the harbor, I seized the whole of them and ordered them to be sent to the arsenal at Benicia, to make sure that the President's order should not again be disobeyed or evaded.

You state Mr. Barnes informed you that, when he called on me about the receipts to be given for the arms by the ordnance officer at Benicia, I told him there would be no necessity for any receipts, as the arms were going to be returned.

Mr. Barnes wished a different receipt from the one I had ordered. He wished a receipt for the several articles according to the invoices. I had ordered warehouse receipts for boxes and packages only, saying to him in effect that as the arms were only detained, and not confiscated, and as they were, as I supposed, and still believe, to be eventually returned to you, I did not wish the packages broken; and I take the occasion to repeat that I do not consider the arms, &c., as confiscated by the United States. I only hold them to prevent your taking them out of the country, you having attempted to do so, and such being your present intention.

In both interviews you have had with me, you will do me the justice to say that you did not receive the slightest intimation of any intention of mine to return you your arms without some modification previously made in the orders from Washington, or a permit or order from my superiors.

If I am at all connected in your mind with any statement that may have been made to you of an intention on the part of the government to buy your arms and pay you gold for them, I beg to say that you have been misinformed. I never had the question before me, and I never was competent to entertain it. You state that it is solely on my decision that your case depends.

You may remember that at the interview you had with me in Sacramento, when I explained to you that a department commander in the United States army was not intrusted with the great powers of a Mexican *commandante general*, but was simply an officer obeying the orders of his superior, you remarked that, in a case where the orders were what you called *tau* strictas y extraordinarias, it was the same.

Therefore you will readily understand that the question as to when the arms and munitions will be returned to you is one that I cannot answer. It will be when you succeed in getting the orders under which I am acting modified, so as to permit the arms to leave the country, or get an order for their return from my superiors; and you state that your understanding of what I told you was to this effect.

I have not held any different language to any one. I send herewith (marked B) a copy of the provost's marshal's letter in reply to so much of your letter as relates to him.

You refer to the present condition of your country, and of the sympathy due it from the sister republic of the United States, and you treat quite at length the question of the relations of the United States to France in connexion with the French ships obtaining supplies in this port for their fleet and army now operating against Mexico.

You know, and you do me the justice to state it in your letter, that the question of the relations of the United States and France was introduced by you at your first interview with me, and that I then said, what I here repeat, that I am in no way empowered by the government to regulate its foreign policy, and am in no position to discuss it with you. That, if you find any cause of

complaint in the conduct pursued by any one in this matter, your proper course is to lay it before your minister in Washington, who is in a position to bring it to the notice of those who can give you, through him, explanation or satisfaction. I can do neither.

As to the interest and sympathy which, in common with the majority of my countrymen, I feel for your country, and which I have expressed so freely and positively, as they are personal I will not repeat them in this official communication.

As to your personal conduct and character while in this city, and with reference to your countrymen here, I have heard but one voice, and that entirely in your praise.

At the risk of fatiguing you with it, I take the occasion to repeat, general, how deeply I regret the personal distress I have necessarily caused you in the discharge of my duty, and take occasion to express the great regard with which I have the honor to be, your obedient, humble servant,

IRVIN McDOWELL.
Major General U. S. A., Commanding Department.

General PLACIDO VERA,
Mexican Army, &c., San Francisco, California.

A true copy: R. C. DRUM,
Assistant Adjutant General.

Official copy: E D. TOWNSEND,
Assistant Adjutant General.

WAR DEPARTMENT, ADJUTANT GENERAL'S OFFICE,
January 28, 1865.

[Enclosure A.]

On board sloop Haze: 71 cases war material, owned by Dearse Kelly:

M. B. at custom-house, (in bonded warehouse.)
[G. F.] 208 cases, containing 5,000 muskets, owned by A. H. Osborn.
At A. J. Plate.
On invoice, amounting in value to $61,793.

Official: JOHN GREEN,
Assistant Adjutant General.

A true copy: E D. TOWNSEND,
Assistant Adjutant General.

ADU'T GENERAL'S OFFICE, *January* 28, 1865.

[Enclosure B.]

OFFICE ACTING ASSISTANT PROVOST MARSHAL GENERAL
OF CALIFORNIA AND NEVADA TERRITORY,
San Francisco, Cal., November 25, 1864.

SIR: The major general commanding department having referred to me a communication from Senor Placida Vega, with reference to the seizure of arms, &c., on board the schooner Haze, and from different points in this city, that I may report to him with reference to such points as particularly refer to my action in the matter, I have the honor to state, in reply, that on the 30th of July I reported that the collector of the port informed me that the schooner San Diego was about to sail for the Colorado river; that the schooner Haze was in the harbor loaded with arms, &c., which we supposed were to be transferred to the San Diego.

This letter was returned August 4, with the indorsement ordering the arms to be seized until bonds were given that they were not to leave the country. A party was sent to make the seizure, but the vessel could not be found. We learned that she had left the harbor in the night, and was then in Half Moon bay. A party was sent to that point, made the seizure, and returned with the vessel to Alcatraz island, where she was left in charge of the commander of that post. On August 10, Special Order No. 174 was received, directing the seizure of all that lot of arms, &c., in or near this city, of which those on board the Haze formed part, and to send them, together with those on board the Haze, to Benicia, and to turn them over to the commanding officer of Benicia arsenal.

General McDowell, in verbal conversation, suggested that I had better call on Mr. Barnes, a lawyer of this city, who would give me the necessary information as to where the different lots of arms might to be found. I called on him at his office, and was informed that arrangements were being made to transfer all of the arms to him as agent; that so soon as the necessary invoices could be made out he would furnish me the information and turn over invoices. I waited several days, but not receiving anything from Mr. Barnes, having sent my aid, Lieutenant Judkins, to him several times, I informed him that I would make the seizure. He then furnished me the memoranda of which the paper marked A is a copy.

The arms seized on the 19th of August and sent to Benicia were 71 cases from sloop Haze, 260 cases from warehouse of Pacific Mail Steamship Company, 163 cases from No. 407 Battery street, and 106 cases from 411 Sansom street.

Señor Vega states that General McDowell suddenly left for Oregon, and that Mr. Barnes told him I was authorized to act; that he, Señor Vega, spoke to me, and that although I at first offered to restore everything whenever he addressed me officially on the subject, still nothing was accomplished.

In reply, I must say I never saw Señor Vega; I never offered to release the arms to him or any other person.

In my interviews with Mr. Barnes I tried to impress upon him the fact that I was powerless in the matter; that the President of the United States would not permit the export of arms; that the collector would not allow arms to leave the port, and that General McDowell would not allow them to be sold in the interior, nor remain in insecure places in this city; that they were only seized by the military authorities for safe-keeping, to prevent their being sent out of the country contrary to the President's orders, or seized here by persons inimical to the government, and that these were not considered as confiscated. Mr. A. G. Plate and a Mr. Whitehouse, from whose storehouse these arms were taken, called on me two or three times with reference to the arms, and desired to know whether the government would buy them.

I informed them that application must be made to the authorities in Washington, and in every interview with all parties tried to impress upon them the hopelessness of getting the arms released without express authority from the government; to reship them to New York, in which case I thought the military authorities would raise no objection.

Your obedient servant,

J. S. MASON, *Brig. Gen. Vols.,*
Acting Assist. Provost Marshal General, Cal. and Nev.

Lieut. Colonel R. C. DRUAN,
Assistant Adjutant General.

A true copy:

E. D. TOWNSEND,
Assistant Adjutant General.

ADJ'T GENERAL'S OFFICE, *January* 28, 1865.

SAN FRANCISCO, *Diciembre* 3, *de* 1864.

Habiendo observado que la parte de parrafo 8° de la presente nota dice, "que el So'r Vega hablo connugo," &c., difiere to tal mente de sentido que espresa mi communicacion en la parte a que alude debo manifestar a su ecelencia que en efecto no teng el honor de conocer al Señor General Mason ni menos que me haya favorecido con tal oferta, sino que esta fue hectra a me abogada el Señor Don Guillermo Barnes, segun dictro senor me informo.

En tal virtua me tomo la libertad de debolver a su ecelencia la referida nota.

Repetuosamente su-atento y obediente servidor,

PLACIDO VEGA.

Ecmo. Señor General de Division Don IRVIN MCDOWELL,
Commandante del Departmento Pacifico.

[Translation.]

SAN FRANCISCO, *December* 3, 1864.

Having observed that the portion of the eighth paragraph in the foregoing letter, to wit: "that Mr. Vega spoke to me," &c., differs entirely from the sentiments expressed in my communication in the portion alluded to, I deem it my duty to inform your excellency that in fact I have not the honor of General Mason's acquaintance, and that he had not made me such an offer unless it was made to my lawyer, Mr. Barnes, as that gentleman informed me was the case. In virtue of which I take the liberty to recall your excellency to the referred note.

Respectfully, your attentive and obedient servant,

PLACIDO VEGA.

His Excellency General IRVIN MCDOWELL,
Commandant of the Department of the Pacific.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,
San Francisco, December 6, 1864.

The undoubted error pointed out by General Vega occurred from General Mason's being furnished with what has since been found an incorrect translation of General Vega's letter.

General Mason has been informed of that error, and that General Vega did not say in his letter that he had spoken to General Mason.

Very respectfully,

IRVIN MCDOWELL,
Commanding Department.

A true copy:

E. D. TOWNSEND,
Assistant Adjutant General.

ADJ'T GENERAL'S OFFICE, *January* 25, 1865.

CUSTOM-HOUSE, SAN FRANCISCO,
Collector's Office, December 14, 1864.

GENERAL: In reply to so much of General Vega's letter to you, under date of 2d ultimo, as relates to myself, I beg leave to say that I do not remember to have had any conversation with General Vega, except upon three occasions; each of these interviews, if they can be called such, were sought by himself.

He was first introduced to me by Mr. Brown, special agent, in my office, in July last. He called upon me the next day, by his own appointment, at the Russ House. In October he again called upon me, accompanied by Mr. Pacheco, at the Orleans Hotel, in Sacramento. On the occasion of his first two visits the subject of the export of arms was mentioned. I informed General Vega of the existence of executive orders forbidding the export, and stated the same would be enforced by me. The matter was not pressed. At Sacramento no allusion was made to it. I have met General Vega two or three times in the street, and once at a mass meeting in Platt's Hall, but these were casual meetings, at which we had no conversation. This comprises all the personal or official intercourse I ever had with General Vega directly. Subsequent to his first two visits Messrs. Beale and Brown made application, as they said, in behalf of General Vega, for the export of arms; with what success the correspondence between those gentlemen and myself (copy of the remainder of which, not yet furnished you, I enclose) will show. Mr. Barnes and General Frisbie, as friends of General Vega, called to see me several times on the same subject. My answer to them was that the matter was with the government, and that nothing could be done without its direction. Mr. Barnes also applied to know the amount of duties on the arms in bond. I referred him to the superintendent of warehouses, who, I believe, furnished the required information. Again, on my way to my office, Mr. Barnes accosted me, and said it was hard for General Vega to be out of his money in these arms, and asked if there was no remedy—if he could not dispose of them. I replied that I knew of none, unless the government, if it should want the arms, might possibly purchase them; that General Vega's case had gone to Washington—alluding to the fact that Mr. Conness, as I was informed, had taken with him General Vega's first letter to you, which I have never seen, and of the particular contents of which I am not yet advised, and had interested himself in the matter. Something like this I wrote on the back of Mr. Barnes's confidential note to General Vega, but he makes no mention of this or of General McDowell's memorandum upon the same paper, both of which were intended, but, it would seem, failed, to correct General Vega's impressions, caused by Mr. Barnes's note, that General McDowell and myself had telegraphed the government concerning the arms. I did not call in my brother to act as interpreter; General Vega brought an interpreter with him. Just as he was leaving on the occasion of his first interview my brother came in. It was by General Vega's express request that he was present the next day at the Russ House. He subsequently called for a copy of the correspondence between Messrs. Beale and Brown and myself, and also to say that General Vega feared that the French were about to violate the President's orders so rigidly enforced against himself by exporting the articles thereby prohibited on board the French steam-transport Rhine, then lying in the harbor, and to ask if she could not be ordered off. I replied that I had no power to order her off, but would take prompt measures to see that she did not violate neutrality. This is all I know of the intercourse between those gentlemen. My brother was, I believe, absent from the city during the months of September, October, and a part of November, and, I presume, had no intercourse with General Vega during that period, though I do not know, as I seldom see him.

In all this matter, you will remember, I counselled with you, as directed by the Secretary of the Treasury, almost daily, and that our views, as well as official action, were in harmony.

The foregoing, I believe, comprises in substance all that I have ever said or done in regard to these arms, except in my official intercourse with other officers and departments of the government, which, it is submitted, will be found in strict accordance with what I have here stated, as will appear from my letters and telegrams to the Treasury Department, my orders to the revenue cutter,

and my official intercourse with Generals McDowell and Mason in this connexion; to all of which I beg leave to refer.

I desire to call attention to that portion of General Vega's letter embraced between the words, "The following communications will, I am sure, attract your attention," on the sixth page, and "These arms were considered of great importance," on the seventh page of the translation. There is not, to my knowledge, any foundation for the statements therein contained. I never sent word to General Vega through Mr. Barnes or any other person that he could, if he thought proper, prepare for his departure.

I have no knowledge of any funds having been offered to him, or of his not accepting them, save what is stated in his letter. He never notified me that everything was in readiness, nor of any other fact, matter or thing, to my knowledge. I never informed him that he could dispose of only five thousand rifles on deposit at the custom-house, on the payment of $8.984 60, or on the payment of any sum, or that he could or could not dispose of any arms on any conditions whatsoever. I never stated to him the amount of the duties or remitted to him a memorandum thereof, nor has he in his possession any such memorandum remitted by me. General Vega did not make manifest to me a want of conformity with any promises made him, as I had no knowledge of any such promises, and have never, directly or indirectly, communicated with him upon the subject of any promise. I never had any conversation or communication, directly or indirectly, with General Vega in regard to money, funds, ships, vessels or expenses, except that, in July, Mr. Brown said he had to pay seventy-five dollars a day on the vessel which was waiting to take the arms to Mexico. I never replied to General Vega, nor through any other person, that he must wait eight or ten days at most, or any other length of time, never that in the mean time the guard-ships would be sent off, nor that he might safely take advantage of the night and go to sea; never knew that he had left the city, except as I met him in Sacramento, nor for what purpose he left the city, or that he incurred expenses to raise ten thousand dollars, or that he intended to deliver or did deliver any sum to obtain the delivery of the arms. I know nothing of the ten days' delay having expired, or of what difficulties he passed through during that time. He never presented himself to me personally or by proxy and informed me that the funds were ready, or that any funds were ready, or that the vessel and drays were engaged, or requested that the night might be fixed, or for any purpose, act or thing, or referred to any understanding. Nor was he then, or at any other time, informed by me, or by any one else, to my knowledge, that the 24th of October, or any other day, was the time for any purpose, act, or event. Nor did I inform him, or cause him to be informed, that General McDowell and myself "had communicated by telegraph with the general government, soliciting," &c., nor is it true that we did so telegraph.

In his original communication General Vega speaks of steam guard-ships to be ordered off. In the translation subsequently furnished, seventh page, the word "steam" is left out. There was no steamship or vessel here subject to my orders at the period of time he refers to, nor had there been for months previous.

In this business I believe there is no complaint of a want of vigilance on my part. General Vega complains, in substance, that I gave him to understand that I would relax my vigilance that he might evade the President's orders, but that when brought to the test I failed to comply. I cannot conceive of a more unfounded accusation.

General Vega was but one of many who applied for my consent to the export of arms, each representing his case as onerous, some claiming theirs to be of peculiar hardship, and most to be actuated by noble motives. All have been treated alike—all told that the thing was impossible. No misunderstanding ap-

pears to have arisen in any case but his. What I now say may explain the exception.

General Vega states that he has in his operations particularly taken the advice of Mr. Brown, from the importance of his official position. I beg you to notice that in the latter part of Mr. Brown's letter to me, under date of July 21, 1864, copy of which I here enclose, Mr. Brown says that he did not inform me that the arms were intended for Mexico. If this statement, which I think must appear somewhat surprising to General Vega, is to be taken as true against mine, that he did so inform me, and which statement he says is made to correct an error into which I had inadvertently fallen, then this trusted adviser appears as one advocating the re-export of arms to Hamburg, whence they came, and where they could not be of much service to General Vega, while General Beale, to whom General Vega refers in the same sentence as another adviser, is striving to get them off to Mexico, where, according to him, there is an alarming necessity for them. This is the case of a house divided against itself. It presents a state of facts calculated to give rise to errors, misunderstanding and misinformation. I do not desire to pursue the subject.

If Mr. Brown has acted faithfully up to the character assigned him by General Vega, it would appear that he had done so by false pretences, and by violating his official obligations; if his written communications to me are sincere, then he has betrayed the cause confided to his guidance. In any event, it appears difficult to reconcile his conduct with candor or truth, and one who should confide in the counsels or information such a man would be likely to give might fall into errors.

My letters and telegrams to the department, to which I have referred you, are as follows: Telegram, dated July 21, 1864; letter, July 22, 1864; letter, July 23, 1864; telegram, July 29, 1864; telegram, August 7, 1864; letter, August 13, 1864; letter, October 26, 1864.

I have the honor to be, very respectfully, your obedient servant,

CHARLES JAMES, *Collector.*

Major General IRVIN MCDOWELL,
Commanding Department of the Pacific.

Official copy:

E. D. TOWNSEND,
Assistant Adjutant General.

WAR DEPT., ADJUTANT GENERAL'S OFFICE, *January* 28, 1865.

OFFICE OF THE SPECIAL AGENT OF THE
UNITED STATES TREASURY FOR THE PACIFIC COAST.

SIR: Your letter of July 19 was handed to me by your messenger this afternoon.

Your construction of the order of September 4, 1863, may be correct, but it does not so seem to me.

The order of November 21, 1862, was intended to meet the peculiar circumstances of the country at that time. We were in the midst of rebellion, to the suppression of which the entire resources and energies of the country were being directed. We had not arms, ammunition, &c., to meet our wants, and the President very properly and very wisely prohibited the exportation of such as we had.

Before the 4th of September, 1863, we had imported largely on government account, and were manufacturing to such an extent that there no longer existed any necessity for the first order, and it was then revoked, or rather modified so as to allow arms to be re-exported to the place of original shipment.

Before that time large quantities of arms had been imported on private ac-

count, for which there was no demand, and it was, I submit, to reach such arms rather than a general limitation that the word "heretofore" was prefixed to the word "imported" in that order.

Surely there could be no reason why arms imported before that time should be allowed to be re-exported that would not apply with equal force to arms subsequently imported. There is a familiar maxim of the common law, "*Cessante ratione legis, cessat ipse lex.*" The reason for the first order had ceased to exist, and I have no doubt that the arms in question, if to be re-exported to the place of original shipment, are entitled to the full benefit of the second order. But I did not propose to discuss this matter with you. My object in this note is simply to correct an error into which you have inadvertently fallen. You say, "You (I) informed me (you) that the arms were, in fact, intended for Mexico." I made no such statement and gave you no such information.

Respectfully,

THOMAS BROWN.

CHARLES JAMES, Esq., *Collector, &c.*

A true copy:

E. D. TOWNSEND,
Assistant Adjutant General.

ADJT. GENERAL'S OFFICE, *January* 28, 1865.

SAN FRANCISCO, *July* 22, 1864.

SIR: Your letter received last evening, though dated July 20, and in reply to mine delivered at your office in presence of M. consul of France, was anticipated in result. I had ceased before receiving it to expect any change in your intentions or sympathy with my views in this matter.

I thoroughly appreciate your sensitive and conscientious moral scruples as to the false oath which the captain of the schooner would necessarily have to make in order to perfect the clearance of his vessel; though it might be considered a subject of philosophical discussion as to who was entitled to the most respect—he who committed a crime to save a republic, or he who cannot be "bullied, wheedled, coaxed nor cajoled" into doing so.

I remain your obedient servant,

E. F. BEALE.

Colonel CHARLES JAMES,
Collector of the Port of San Francisco, Cal.

ADJT. GENERAL'S OFFICE, *January* 28, 1865.

A true copy:

E. D. TOWNSEND,
Assistant Adjutant General.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,
New York, August 2, 1864.

MR. SECRETARY: General Don Placido Vega and Mr. José Maria Aguirre de la Barreda, commissioners of the Mexican government in San Francisco, have communicated to me in a telegraphic despatch, which I have just received and of which I accompany a copy, that the French transport Rhine was loading at that port all sorts of provisions of war and men for the French army which occupies the port of Acapulco. The said commissioners furthermore say to me, that this violation of the rights of Mexico may be prevented if the government of the United States sends its orders per telegraph.

Not doubting that the government of the United States is animated with the best disposition to comply strictly with the duties which the position of a neutral, which it has assumed, imposes upon it in the war which now exists between Mexico and France—duties which do not permit that there should be conceded to one of the belligerents what is denied to the other—I cannot doubt, even for an instant, that so soon as you shall have received the information contained in the telegraphic despatch annexed, you will be pleased to communicate the orders of the President to the authorities of San Francisco not to permit the departure for Acapulco of the French transport Rhine, which conveys persons and all sorts of provisions of war to the French forces, which occupy the latter port.

I avail of this opportunity to renew to you, sir, the assurances of my most distinguished consideration.

M. ROMERO.

Hon. WILLIAM H. SEWARD,
Secretary of State.

[Telegram.]

Dated San Francisco, July 30, 1864.—Received Washington, July 31, 1864.

To MEXICAN MINISTER: The French transport Rhine has been here twenty days taking in all sorts of provisions and men for the army at Acapulco openly. You would know how to assert the rights of Mexico. These evils could be prevented by immediate superior orders by telegraph. Please answer.

JOSÉ MARIA AGUIRRE DE LA BARREDA,
PLACIDO VEGA,
Sp. Comd. of Supreme Government of Mexico.

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,
Washington, August 3, 1864.

SIR: I have the honor to acknowledge the receipt of your note of the 2d instant, with its accompaniment, relating to the shipment of provisions of war and men from the port of San Francisco, in California, by the French transport the Rhine, for the port of Acapulco, in Mexico.

In reply, I have the honor to inform you that copies of your note have been communicated (in translation) to the Secretaries of War and the Treasury, and also to the Attorney General of the United States, with the request to issue such immediate instructions to the officers of the United States at the port of San Francisco subject to their control as the laws and regulations applicable to the case in point may warrant.

I avail myself of this occasion to renew to you, sir, the assurances of my most distinguished consideration.

WILLIAM H. SEWARD.

Señor MATIAS ROMERO, *&c., New York.*

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,
Washington, August 6, 1864.

SIR: Referring to my note to you of the 3d instant, in reply to yours of the 2d, I now have the honor to transmit to you copies of the replies of the Secretaries of the Treasury and War, and of the Attorney General of the United

States, to the letter addressed to them by me on the 3d of August instant, on the subject of the shipment of provisions and men, at San Francisco, by the French transport the Rhine, and from which you will learn that the proper measures have been adopted to prevent the proceeding to which you have called my attention.

I avail myself of this opportunity to renew to you, sir, the assurances of my very distinguished consideration.

WILLIAM H. SEWARD.

Señor MATIAS ROMERO, &c., *New York.*

TREASURY DEPARTMENT, *August 5*, 1864.

SIR: I have the honor to acknowledge the receipt of your letter of the 3d instant, transmitting translation of a note from the Mexican minister and enclosure, relative to the landing of a vessel at San Francisco for Acapulco, and requesting the action of this department in the premises.

Such instructions as it is thought will meet the case have this day been forwarded by telegraph to the collector of customs at San Francisco.

A copy of the telegram referred to is herewith enclosed for your information.

With great respect,

GEORGE HARRINGTON,
Acting Secretary of the Treasury.

Hon. WILLIAM H. SEWARD,
Secretary of State.

[Telegram.]

AUGUST 5, 1864.

CHARLES JAMES, Esq., *Collector of San Francisco:*

It is represented to this department that a vessel is loading at your port for Acapulco, in violation of executive orders of November twenty, eighteen hundred and sixty-two, and May thirteen, eighteen hundred and sixty-three, promulgated by this department May nineteen, eighteen hundred and sixty-three. You will conform strictly to these instructions.

GEORGE HARRINGTON,
Acting Secretary of the Treasury.

Charge to the Treasury Department.

G. H.

WAR DEPARTMENT,
Washington City, August 5, 1864.

SIR: I am instructed by the Secretary of War to acknowledge the receipt of your letter of the 3d instant, enclosing a copy of a note and its accompaniments form the Mexican minister in relation to the shipment of stores and men from San Francisco to Acapulco on a French transport, and to say, in reply, that, in the judgment of the Secretary, this is a subject that rather belongs to the authorities of the Treasury Department.

I have the honor to be, sir, your obedient servant,

C. A. DANA.
Assistant Secretary of War.

Hon. WILLAM H. SEWARD,
Secretary of State.

ATTORNEY GENERAL'S OFFICE,
Washington, August 5, 1864.

SIR: I have this day the honor to receive your letter of August 3, enclosing a translation of a note from Mr. Romero, the minister of Mexico, in relation to the shipment of stores and men from San Francisco, California, by the French transport called the Rhine, for the port of Acapulco, and desiring that proper orders may be given to the officers at San Francisco, who are subject to the control of this department.

With all alacrity, sir, I comply with your wish and that of the Mexican minister, suggesting only that the activity of the officers of the Treasury and Navy Departments at San Francisco may be much more effectual in *preventing* any breach of our neutrality in that regard than any efforts of the attorney and marshal can be.

I have the honor to be, very respectfully, sir, your obedient servant,

EDWARD BATES,
Attorney General.

Hon. WILLIAM H. SEWARD, *Secretary of State.*

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION, OYSTER BAY, LONG ISLAND, N. Y.,
August 10, 1864.

MR. SECRETARY: I have had the honor to receive the note you were pleased to address to me under date of the 3d current, informing me that my communication of the previous day, in which I submitted to your department a telegraphic despatch received from San Francisco, from which it appears that the war transport Rhine, bearing the French flag, was lading at that port men and munitions of war for the French forces that occupy Acapulco, "had been transmitted to the Secretary of War and of the Treasury, and to the Attorney General of the United States, with a recommendation that they immediately despatch to the federal authorities at San Francisco, under their control, the instructions which the laws and regulations applicable to the case require."

To-day another telegraphic message has come into my hands from the same city, dated the 6th instant, of which I send copy, and from which it appears that up to the 5th instant the federal authorities at San Francisco had not received any instructions upon this matter.

As the decisions of the War and Treasury Departments, and Attorney General, to whom the case had been submitted, may be delayed some days before its adoption, and meantime the Rhine will have finished loading and be preparing to sail, I think it my duty to beg of you, that until such decision is arrived at and communicated to the proper authorities, your department would, by telegraph, please to forewarn the authorities of San Francisco, which are connected with it, that provisionally, and until receiving further instructions, they should not permit the departure of the Rhine with the cargo she has taken on board.

The suitableness of this proceeding I doubt not will be duly appreciated by the government of the United States, on recollecting that the delay of a few days on the part of the British government permitted the departure from a British port of a war steamer which has been busied in the commission of depredations on the merchant marine of the United States, notwithstanding that government concluded to order the detention of that steamer.

I avail of this occasion to renew to you, sir, the assurances of my most distinguished consideration.

M. ROMERO.

Hon. WILLIAM H. SEWARD, *Secretary of State.*

[Telegram.]

Dated San Francisco, August 6, 1864.—Received, Washington, August 8, 1864.

To MEXICAN MINISTER:

We have applied to General McDowell, and up to yesterday he had received no orders in relation to the Rhine.

JOSÉ MARIA AGUIRRE DE LA BARREDA.

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,
Washington, August 11, 1864.

SIR: Referring to your communication to me of the 2d instant, I have the honor to transmit, for your information, a copy of a letter of yesterday's date, with its accompaniment, received from the Acting Secretary of the Treasury, relative to the measures adopted by him to prevent the shipment of stores and men by the French transport Rhine, from San Francisco, in violation of the executive orders to that effect.

I avail myself of this occasion to renew to you, sir, the assurances of my distinguished consideration.

Señor MATIAS ROMERO, *&c., New York.*

TREASURY DEPARTMENT, *August* 10, 1864.

SIR: Referring to your letter of the 3d instant, and my reply thereto, dated the 5th, relative to the lading of a vessel at San Francisco for Acapulco, I have the honor to enclose herewith copy of a telegram this morning received from the collector of San Francisco.

With great respect,

GEO. HARRINGTON,
Acting Secretary of the Treasury.

Hon. WILLIAM H. SEWARD,
Secretary of State.

[Telegram.]

Received, Washington, August 9, 1864.

SAN FRANCISCO, *August* 8, 1864.

To W. P. FESSENDEN, *Secretary of the Treasury:*

No vessel will be permitted to load and depart from this port, in violation of the executive orders to which you refer in your telegram of the 5th instant.

CHARLES JAMES, *Collector.*

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,
Washington, August 16, 1864.

SIR: I have the honor to acknowledge the receipt of your note of the 10th instant, relative to the proceedings of the French transport Rhine at San Francisco, California.

By a reference to my communications to you, under date of the 6th and 11th instant, and to their accompaniments, you will have learned that the proper measures have already been taken by this government to prevent the infraction of its neutrality towards Mexico in this connexion.

The communications above referred to were delivered at the legation of Mexico in this city, franked to you at New York, and must doubtless have reached you by this time.

I avail myself of this occasion to renew to you, sir, the assurances of my high consideration.

WILLIAM H. SEWARD.

Señor MATIAS ROMERO, *&c., New York.*

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION,
New York, August 18, 1864.

MR. SECRETARY: I have the honor to acknowledge the receipt of the note you did me the honor to address to me on the 6th of this month, which through absence from the city had not reached me earlier, with which you send copies of the communications which were sent to you by the Secretaries of the Treasury and War, and the Attorney General of the United States, in relation to the affair of the sailing from San Francisco of the French war transport Rhine, with munitions for the French forces that occupy the port of Acapulco, in the Mexican republic. I have the painful duty of communicating to you that I have received a telegram from the agent of the Mexican government at San Francisco, of which I enclose a copy, dated the 9th instant—that is, four days after the transmission to the collector of the customs at that port of the instructions of the Treasury Department of the 5th, which you are pleased to communicate to me with the note referred to—by which it appears that the collector at that custom-house did not propose to hinder the sailing of the Rhine, and that this transport would sail on the eleventh.

Not being able to explain the contradiction which seems to exist between the orders issued by the Treasury Department and the conduct of the collector of the customs at San Francisco, I shall be very grateful to your kindness if you will do me the favor to explain this to me, and meantime, until I receive the explanation which I respectfully ask for, I shall abstain from communicating to the department the reflections which the incidents of this affair have suggested.

I avail of this occasion to renew to you, sir, the assurances of my most distinguished consideration.

M. ROMERO.

Hon. WILLIAM H. SEWARD,
Secretary of State.

[Telegram.]

Dated San Francisco, August 9, 1864.—Received, Washington, August 11, 1864.

To MEXICAN MINISTER:

The collector will not prevent the exportation of provisions for Acapulco. Rhine sails the eleventh.

J. M. AGUIRRE.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION,
New York, August 19, 1864.

MR. SECRETARY: To-day I have received the note you were pleased to address to me, under date of 16th instant, in answer to mine of the 10th, about the sailing from San Francisco of the French war transport Rhine with munitions of war for the French forces which occupy Acapulco, informing me that in the notes from your department of the 6th and 11th current, and the documents thereto annexed, there was communicated to me that the government of the United States had adopted measures to prevent the violation, to the prejudice of Mexico, of the neutrality it purposes to observe in the war which the Emperor of the French is making on my country. In the note which I had the honor to address to you, dated yesterday, I replied to the communication from your department on this subject of the 6th current; not having received that of the 11th, I beg you will have the goodness to order a duplicate to be sent to me.

I avail of this occasion to repeat to you, sir, the assurances of my most distinguished consideration.

M. ROMERO.

Hon. WILLIAM H. SEWARD,
Secretary of State.

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,
Washington, August 23, 1864.

SIR: I have the honor to acknowledge the receipt of your note of the 18th instant, with the accompanying telegraphic despatch of the 9th of August, received by you from San Francisco, in the former of which you call my attention to the fact that, according to the information derived from Mr. J. M. Aguirre's despatch, the collector of San Francisco does not purpose to prevent the sailing of the Rhine, and that said transport would sail for Acapulco on the 11th of the present month. And you conclude by requesting explanations as to the apparent contradiction which seems to exist between the orders issued by the Treasury Department, copies of which have been transmitted you, and the conduct of the collector of San Francisco in not complying therewith.

In reply to your wishes upon these particulars, I have the honor to inform you that a translation of your note has been submitted to the honorable the Secretary of the Treasury for his consideration, with the request to furnish the information desired by you, which will be transmitted to you as soon as received.

I avail myself of this occasion to renew to you, sir, the assurances of my distinguished consideration.

WILLIAM H. SEWARD.

Señor MATIAS ROMERO, *&c., New York.*

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION IN THE U. S. OF AMERICA,
New York, August 25, 1864.

MR. SECRETARY: I have the honor to acknowledge the receipt of the note which you were pleased to address to me on the 11th of the present month,

enclosing to me a copy of a communication addressed to the Department of State on the day preceding by the Acting Secretary of the Treasury, and of a telegraphic despatch from the collector of customs of San Francisco, all relating to the sailing of the French war transport Rhine, laden with munitions for the French forces which occupy the port of Acapulco. The said note not having been addressed to me in the proper manner, on its being sent to me from my house in Washington, it reached my hand after a delay of several days, which has prevented my acknowledging its receipt until now, and it even caused me to ask a duplicate thereof from the Department of State, through the note which I had the honor to address to you under date of the 19th instant.

Until I receive your answer to the note which I addressed to you on the 18th aforesaid, I have nothing to say relative to this affair.

I avail myself of this opportunity to renew to you, sir, the assurances of my most distinguished consideration.

M. ROMERO.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,
Washington, August 27, 1864.

SIR: I have the honor to acknowledge the receipt of your communications, dated, respectively, August 19 and 25, both relating to the French transport Rhine, in the former of which you request a duplicate of my note to you of the 11th instant, and in the latter inform me that you have since received said note, with its accompaniments.

Your note of the 18th August current, asking explanations on the apparent contradiction between the orders of the Secretary of the Treasury and the proceedings of the collector of San Francisco, in relation to the detention of the Rhine, was submitted to the consideration of the Treasury Department on the 22d instant, with the request to furnish me the explanations desired by you. These, when received, will be communicated to you.

I avail myself of this occasion to reiterate to you, sir, the assurances of my distinguished consideration.

WILLIAM H. SEWARD.

Señor MATIAS ROMERO, *&c., New York.*

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION IN THE U. S. OF AMERICA,
Washington, August 30, 1864.

MR. SECRETARY: I have the honor to communicate to you that I have received the notes which you were pleased to address to me, dated the 23d and 27th of the present month, in which you have the goodness to inform me that the communication which I addressed to your department on the 18th instant, asking explanations touching the contradiction which seems to exist between the orders issued by the Treasury Department in the case of the French war transport Rhine and the conduct of the collector of the customs of San Francisco, who, agreeably to the information which I have received, was about to permit her to

sail for Acapulco laden with provisions for the French forces which occupy that port, had been transmitted to the honorable the Secretary of the Treasury for his consideration, with the request to give the explanations for which I have asked, and which you promised to transmit to me so soon as you shall have received them.

I avail myself of this opportunity to renew to you, sir, the assurances of my very distinguished consideration.

M. ROMERO.

Hon. WILLIAM H. SEWARD,
Secretary of State.

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,
Washington, December 14, 1864.

SIR: Referring to my communications to you of the 23d and 27th of August last past, in reply to your notes of the 18th, 19th, and 25th of the same month, and in compliance with the promise then made to furnish you the information you desired respecting the proceedings of the French steam transport Rhine, I have now the honor to transmit to you copies of two letters from the Secretary of the Treasury, dated the 2d and 9th instant, with their enclosure, being the report of the collector of customs at San Francisco, made October 26th last, in obedience to the instructions of the Treasury Department.

In the hope that said report will be satisfactory to your government, I avail myself of this occasion to renew to you, sir, the assurances of my most distinguished consideration.

WILLIAM H. SEWARD.

Señor MATIAS ROMERO, *&c.*,
Washington, D. C.

TREASURY DEPARTMENT, *December* 2, 1864.

SIR: I have the honor to transmit herewith a report made to me by the collector of customs at San Francisco, dated 26th October last, in relation to the shipment of munitions of war on the French transport Rhine, and which was the subject of a complaint made to your department by the Mexican minister on 18th August last.

With great respect,

W. P. FESSENDEN,
Secretary of the Treasury.

Hon. WILLIAM H. SEWARD,
Secretary of State.

CUSTOM-HOUSE, SAN FRANCISCO,
Collector's Office, October 26, 1864.

SIR: The department's letter of September 12, 1864, enclosing copy of a letter from the Secretary of State, also translation of a note to him from Señor Romero, Mexican minister, and asking me to report the facts in relation to the departure from San Francisco of the steam transport Rhine, with munitions of war for the French forces at Acapulco, has been received.

The Rhine, a French steam transport, visited this port at the time referred

to. Before the sailing of the Rhine I had an interview with her commander and the French consul, and questioned them both particularly as to what she had on board. They assured me that no arms or munitions of war had been or would be taken aboard. I also had an interview with the Mexican consul and asked him for information concerning her. He told me he knew of no arms or munitions of war being shipped by her, but that he believed she would take provisions.

The French consul exhibited to me all the requisitions and bills for supplies procured for the Rhine at this port, which contain no account of arms or munitions of war. I was well assured at the time that she took none, and my subsequent investigation has confirmed me in the belief that she did not.

I have the honor to be, most respectfully, your very obedient servant,

CHARLES JAMES, *Collector.*

Hon. WILLIAM P. FESSENDEN,
Secretary of the Treasury, Washington, D. C.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,
Washington, December 24, 1864.

MR. SECRETARY: I have the honor to communicate to you that I have received in due season the note which you were pleased to address to me, dated the 14th instant, transmitting to me a copy of certain documents sent to your department by that of the treasury, and which contains the explanations which I asked for in my notes of the 18th, 19th, and 25th of August last, from the Department of State, with reference to the departure of the French steam war transport Rhine, laden with articles contraband of war, from the port of San Francisco for Acapulco.

I shall lose no time in transmitting to my government a copy of your said note, and of the documents annexed thereto.

My absence from this city had not permitted me before now to acknowledge the receipt of your said communication.

I avail myself of this opportunity to renew to you, Mr. Secretary, the assurances of my most distinguished consideration.

M. ROMERO.

Hon. WILLIAM H. SEWARD, *Secretary of State, &c.*

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION TO THE UNITED STATES OF AMERICA,
Washington, December 29, 1864.

MR. SECRETARY: I have the honor to remit to you a copy of a communication which I received a little while since from General Placido Vega, of the Mexican army, and governor of the State of Sinaloa of the Mexican republic, who is now at the city of San Francisco, in relation to the passage of French troops over the isthmus of Panama; to the trade between San Francisco and Acapulco, and other points which have relation to the neutrality of the United States in the war which the Emperor of the French is waging against Mexico.

I deem it my duty respectfully to submit such communication to your consideration, as well as to inform you in this way of some transactions which perhaps have not reached the notice of the government of the United States by another

channel, as also to beg you to propose a remedy for those which may prove true, and not in conformity with the neutrality which this government has adopted in the question pending between France and Mexico.

I avail of this opportunity to renew to you, Mr. Secretary, the assurances of my most distinguished consideration.

M. ROMERO.

Hon. WILLIAM H. SEWARD, *Secretary of State, &c.*

General Vega to Mr. Romero.

[Translation.]

SAN FRANCISCO, *November* 22, 1864.

CITIZEN MINISTER: The sacred duty which, as a citizen and as a public man of the Mexican republic, I have to watch over the interests of my country, and engaged in its defence, imposes on me the obligation to bring to your knowledge the occurence which took place on the 22d of the month of October last past, at the transit of the isthmus of Panama, by the clandestine transportation over the railroad of said transit, and under the direct protection of the presient of said Panama Railroad Company, and of the commander of the United States ship-of-war Lancaster, of a body of French troops, composed of about 370 marines and seamen, destined to re-enforce the French squadron in the Pacific which blockades the Mexican ports and threatens the unprotected coasts. The portion of the newspaper "La Voz de Mexico" which I sent to you contains the official communications interchanged between the president to the State of Panama and the consul of the United States; these will inform you circumstantially of the fact to which I refer, as well also of the transportation of North American troops likewise to re-enforce the American squadron stationed in these seas. Thus the North American government favors and protects the passage of French troops who wage an unjust and cruel war on Mexico, concedes a stay of forty days in this port to the French ship-of-war Rhine, which supplied herself with provisions and other articles, without hindering the increase of men she shipped to cover the losses the squadron had suffered, at the same time that she keeps strict neutrality with Mexico and Peru, by preventing the exportation of every kind of articles which, for the defence of those republics, could be obtained in this country.

I must say to you, besides, that, according to verbal advices which two days since Don Arnaldo Marques, consul of the republic of Peru at this port, was pleased to give me, he had seen that the steamer Constitution, which runs between San Francisco and Panama, and on which he came as passenger, brought more than 200 tons of coal, which was transshipped to French ships-of-war anchored in the bay of Acapulco, as well as a large quantity of provisions; informing me at the same time, as well as other trustworthy persons, that the steamers on the route bring on board, on each trip, quantities of articles needed for the said squadron. This traffic, and that had directly with the port of Acapulco, affords the enemy all those elements which it is difficult for him to obtain from the interior of the republic.

Independence, liberty, and reform!

PLACIDO VEGA.

Senor MATIAS ROMERO,
Minister Plenipotentiary of the Mexican Republic at Washington

True copy:

F. D. MACIN,
Second Secretary of Legation.

WASHINGTON, *December* 29, 1864.

No. 17.

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,
Washington, January 28, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 29th ultimo, with which you enclose to me the communication of General Placido Vega, of the Mexican army, governor of the State of Sinoloa, Mexico, addressed to you from San Francisco, California, under date of the 22d November, 1864.

In your note, to which I have the honor of replying, you call my attention to the passage of French troops over the isthmus of Panama, to the trade between San Francisco and Acapulco, and to other points, which relate to the neutrality adopted by the United States in the war between France and Mexico. You likewise submit the communication of General Vega to my consideration, and desire me to remedy such of these transactions which, upon investigation, may prove to be true, and not in conformity with the neutrality which the United States has adopted in the question pending between Mexico and France.

In reply, I have the honor to inform you that measures will be taken by this department, as speedily as it may be practicable, to renew the instructions already given on the same subject by the Treasury Department to the authorities of San Francisco, to prevent the transactions to which you have called my attention.

I avail myself of this occasion to tender to you, sir, the assurances of my very high and distinguished consideration.

WILLIAM H. SEWARD.

Señor MATIAS ROMERO, *&c., Washington, D. C.*

No. 18.

Mr. Romero to Mr. F. W. Seward.

[Private.]

MY DEAR SIR: I called on you this noon to submit to you a telegraphic despatch that I received last evening from San Francisco, in regard to the French war vessels "Victoire" and "Rhine," now at that port. Having found you engaged, I enclose to you now my official letter on the same subject, begging of you to be kind enough to take such action as, under the circumstances, will be possible, at your earliest convenience.

Yours truly,

M. ROMERO.

APRIL 9, 1865.

Hon. FREDERICK W. SEWARD, *&c.*

No. 19.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,
Washington, April 9, 1865.

MR. SECRETARY: I have the honor of transmitting to you the copy of a telegraphic despatch I have just received from the city of San Francisco, State of California, informing me that the French war transports "Victoire" and "Rhine," used by the French in their war against Mexico, arrived at Santa Barbara in a bad condition, and yesterday a vessel loaded with coal went to

their aid, to furnish fuel to help them reach the arsenal at Benicia, where they are now repairing, intending to return to the coast of Mexico and continue their hostilities against that republic.

The neutrality assumed by the government of the United States in the present war between Mexico and France requires that neither of the belligerents shall refit on United States territory for the purpose of attacking the other.

For this reason I believe it to be my duty to call without delay your attention to this case, so that the proper instructions may be sent to the United States authorities in San Francisco not to allow those vessels to repair in United States navy yards, nor to get articles contraband of war in that port for the coast of Mexico.

I embrace the occasion to renew to you, Mr. Secretary, the assurances of my most distinguished consideration.

M. ROMERO.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c.

[Enclosure No. 1.]

Dated San Francisco, April 7, 1865. Received, Washington, April 8, 1865.

To Don MATIAS ROMERO, *Mexican Minister, Washington:*

The French war vessels Victoria and Rhine have arrived at Santa Barbara, in very bad condition. A bark left here yesterday with coal for them. They came to repair at Benicia, and to return to Maximilian's support. Your protest could prevent this.

PLACIDO VEGA.

No. 20.

Mr. F. W. Seward to Mr. Romero.

DEPARTMENT OF STATE,
Washington, April 10, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 9th instant, enclosing a telegram in regard to the French war vessels Victoria and Rhine, a copy of which has been transmitted to the Treasury Department, with the request that all the facts of the case, so far as practicable, may be promptly ascertained and communicated to this department; and with the view that proper measures may be taken to prevent any infraction of the neutrality laws and regulations of the United States.

I avail myself of this occasion to offer to you renewed assurances of my high consideration.

F. W. SEWARD,
Acting Secretary of State.

Señor MATIAS ROMERO, *&c., Washington, D. C.*

No. 21.

Mr. Romero to Mr. Hunter.

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,
Washington, April 28, 1865.

MR. ACTING SECRETARY: Referring to the communication which I had the honor to address to your department under date of the 9th instant, respecting

the French war transports Rhine and Victoria, which had arrived at San Francisco, in California, for the purpose of repairs and to carry articles contraband of war to the French forces upon the Mexican coast on the Pacific, I have the honor now to transmit you a copy of a telegraphic despatch which I have just received from the consul of Mexico at San Francisco, in which he advises me that the vessel called the Swallow (in the name of which there is assuredly some mistake) is loading coal at that port for the French fleet at Mazatlan.

It being already generally acknowledged and admitted that stone coal is an article contraband of war, I think the simple announcement of this fact will suffice, in order that the government of the United States may take the measures necessary to prevent the French agents in San Francisco from violating the neutrality which it has proclaimed in the war which the Emperor of the French is waging against Mexico.

I avail myself of this occasion to renew to you, sir, the assurances of my most distinguished consideration.

M. ROMERO.

Hon. WILLIAM HUNTER, &c.

[Telegram.—Enclosure No. 1.]

Dated San Francisco, April 27, 1865. Received, Washington, April 28, 1865.

To Mr. ROMERO, *Mexican Minister:*

Ship Swallow is taking coal for the French fleet at Mazatlan.

JOSÉ A. GODOY.

No. 22.

Mr. Romero to Mr. Hunter.

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,
Washington, May 9, 1865.

MR. ACTING SECRETARY: On the 28th of April last I had the honor to transmit to your department a note, in which, referring to a telegram from the consul of Mexico at San Francisco, California, I called the attention of the government of the United States to the fact that coal was being exported from said port for the French vessels-of-war which are in the waters of Mazatlan, and I expressed the hope that, as stone coal was now generally recognized as an article contraband of war, the said government of the United States would prevent the exportation to which I have alluded, thus observing a strict neutrality in the war which France is waging against the Mexican republic.

Although up to this time I have not received a reply to that note, I find myself obliged to recur to the matter, having recently received from the said Mexican consul at San Francisco the communication of which I accompany a copy, together with the translation of the telegram from General McDowell, which has been transmitted to me. From these documents you will perceive that the same consul had complained to the said general that orders had been issued to procure coal for two French vessels-of-war belonging to the fleet off Mazatlan, and that it was intended to repair one of them at the navy yard at Mare island; to this General McDowell replied that the authorities on that coast were not authorized to take any measure to repress the business.

This, therefore, confirms the necessity that the government of the United

States shall take some definitive measure in the matter to which I refer, as I have already had the honor of representing.

I avail myself of this opportunity to reiterate to you, sir, the assurances of my very distinguished consideration.

M. ROMERO.

Hon. WILLIAM HUNTER, *&c.*

[Enclosure No. 1—Translation.]

CONSULATE OF MEXICO IN SAN FRANCISCO,
San Francisco, April 18, 1865.

Under date of yesterday I addressed to the ministry of foreign relations and government the following note:

"Upon learning that two of the French steamers which were at the port of Mazatlan had arrived at Santa Barbara, I addressed to the commanding general of the department of the Pacific the note a copy of which I have the honor to enclose you. The telegraphic despatch, which I also transmit in copy, proves the good disposition respecting Mexico which the authorities in this State entertain. Up to this writing General McDowell has not communicated to me the determination of his government."

I transcribe it to you accompanying a copy of my note and of the telegraphic despatch of General McDowell.

I renew to you the assurances of my esteem and consideration,

JOSÉ A. GODOY.

The Citizen M. ROMERO,
Plenipotentiary of the Mexican Republic at Washington.

A true copy:

F. D. MACIN.

MAY 9, 1865.

[Enclosure No. 2.—Translation.]

Telegraphic despatch.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,
Sacramento, April 8, 1865.

At 1 o'clock p. m.

To Señor Don JOSÉ A. GODOY, *Mexican Consul:*

I have just received your letter of the 6th instant, and on the 7th of the same month I sent a telegram to the War Department upon the affair to which your letter refers. The collector of customs did the same thing with the treasury department. To-day the governor has sent a telegram referring to the same matter to the Department of State. I regret that, for the present, the authorities on this coast are not authorized to take any measure in consonance with your petition, and that the bark Emily Banning sailed on the 6th for Santa Barbara, with coal for the French fleet.

IRVIN McDOWELL,
Major General, Commanding the Department.

A correct translation:
JOSÉ A. GODOY.

A true copy:

F. D. MACIN.

WASHINGTON, *May* 9, 1865.

No. 23.

Mr. Hunter to Mr. Romero.

DEPARTMENT OF STATE,
Washington, May 11, 1865.

SIR: I have had the honor of receiving your communications of April 28, ultimo, and May 9, instant, with their several accompaniments, complaining that the French war vessels, the Rhine and Victoire, have recently been supplied with coal at the ports of the United States upon the Pacific coast, and that facilities are about being extended to one of said vessels for repairs at the navy yard on Mare island. And in view of the fact that the authorities in California have not hitherto received instructions to prevent these proceedings, you now call upon this government to adopt such measures as will effectually check them, and for the observance of its declared neutrality in the contest now pending between France and Mexico.

With reference to the supplying of coal to said vessels you object on the ground that coal is contraband of war, and that the furnishing of an article of that character for the use of the public armed vessels of an enemy of Mexico is contrary to the duty of the United States as a neutral power.

In reply, I have the honor to state that coal does not appear to be among the articles which the United States and Mexico, in their treaty of 1831, stipulated to regard as contraband of war; and that this department is not aware that it is yet generally regarded as of that character by maritime nations.

Even, however, if this were the case, there is no law of the United States which prohibits the exportation of contraband of war to any country. Under these circumstances, and others which will readily occur to you, resulting from the recent change of belligerent affairs in the United States, it is conceived that no restraint can, with propriety, be placed on the supply of coal to the naval vessels of France in the ports of the United States.

With reference to the repairs which those vessels may require, the privilege of making them is usually granted in this country, pursuant both to treaty stipulations and the comity of nations, and is conceded to all powers alike.

I avail myself of this opportunity to renew to you, sir, the assurances of my very distinguished consideration.

W. HUNTER, *Acting Secretary.*

Señor MATIAS ROMERO, *&c., Washington, D. C.*

No. 24.

Mr. Romero to Mr. Hunter.

[Translation.]

MEXICAN LEGATION IN THE U. S. OF AMERICA,
Washington, May 12, 1865.

MR. ACTING SECRETARY: Your note of yesterday's date has come into my possession, in which you have been pleased to reply to the two which I had addressed to your department on the 28th of April last, and on the 9th instant, in reference to the exportation of stone coal from some ports of the United States for the French war vessels, Le Rhin and La Victoire, and to the fact that facilities have been extended to vessels of the same nationality for repairs at the navy yard on Mare island, in California.

You are pleased to say to me, in the note to which I have the honor of replying, that stone coal does not appear to be among the articles which the United

States shall take some definitive measure in the matter to which I refer, as I have already had the honor of representing.

I avail myself of this opportunity to reiterate to you, sir, the assurances of my very distinguished consideration.

M. ROMERO.

Hon. WILLIAM HUNTER, &c.

[Enclosure No. 1—Translation.]

CONSULATE OF MEXICO IN SAN FRANCISCO,
San Francisco, April 18, 1865.

Under date of yesterday I addressed to the ministry of foreign relations and government the following note:

"Upon learning that two of the French steamers which were at the port of Mazatlan had arrived at Santa Barbara, I addressed to the commanding general of the department of the Pacific the note a copy of which I have the honor to enclose you. The telegraphic despatch, which I also transmit in copy, proves the good disposition respecting Mexico which the authorities in this State entertain. Up to this writing General McDowell has not communicated to me the determination of his government."

I transcribe it to you accompanying a copy of my note and of the telegraphic despatch of General McDowell.

I renew to you the assurances of my esteem and consideration,

JOSÉ A. GODOY.

The Citizen M. ROMERO,
Plenipotentiary of the Mexican Republic at Washington.

A true copy:

F. D. MACIN.

MAY 9, 1865.

[Enclosure No. 2.—Translation.]

Telegraphic despatch.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,
Sacramento, April 8, 1865.

At 1 o'clock p. m.

To Señor Don JOSÉ A. GODOY, *Mexican Consul:*

I have just received your letter of the 6th instant, and on the 7th of the same month I sent a telegram to the War Department upon the affair to which your letter refers. The collector of customs did the same thing with the treasury department. To-day the governor has sent a telegram referring to the same matter to the Department of State. I regret that, for the present, the authorities on this coast are not authorized to take any measure in consonance with your petition, and that the bark Emily Banning sailed on the 6th for Santa Barbara, with coal for the French fleet.

IRVIN McDOWELL,
Major General, Commanding the Department.

A correct translation:
JOSÉ A. GODOY.

A true copy:

F. D. MACIN.

WASHINGTON, *May* 9, 1865.

No. 23.

Mr. Hunter to Mr. Romero.

DEPARTMENT OF STATE,
Washington, May 11, 1865.

SIR: I have had the honor of receiving your communications of April 28, ultimo, and May 9, instant, with their several accompaniments, complaining that the French war vessels, the Rhine and Victoire, have recently been supplied with coal at the ports of the United States upon the Pacific coast, and that facilities are about being extended to one of said vessels for repairs at the navy yard on Mare island. And in view of the fact that the authorities in California have not hitherto received instructions to prevent these proceedings, you now call upon this government to adopt such measures as will effectually check them, and for the observance of its declared neutrality in the contest now pending between France and Mexico.

With reference to the supplying of coal to said vessels you object on the ground that coal is contraband of war, and that the furnishing of an article of that character for the use of the public armed vessels of an enemy of Mexico is contrary to the duty of the United States as a neutral power.

In reply, I have the honor to state that coal does not appear to be among the articles which the United States and Mexico, in their treaty of 1831, stipulated to regard as contraband of war; and that this department is not aware that it is yet generally regarded as of that character by maritime nations.

Even, however, if this were the case, there is no law of the United States which prohibits the exportation of contraband of war to any country. Under these circumstances, and others which will readily occur to you, resulting from the recent change of belligerent affairs in the United States, it is conceived that no restraint can, with propriety, be placed on the supply of coal to the naval vessels of France in the ports of the United States.

With reference to the repairs which those vessels may require, the privilege of making them is usually granted in this country, pursuant both to treaty stipulations and the comity of nations, and is conceded to all powers alike.

I avail myself of this opportunity to renew to you, sir, the assurances of my very distinguished consideration.

W. HUNTER, *Acting Secretary.*

Señor MATIAS ROMERO, *&c., Washington, D. C.*

No. 24.

Mr. Romero to Mr. Hunter.

[Translation.]

MEXICAN LEGATION IN THE U. S. OF AMERICA,
Washington, May 12, 1865.

MR. ACTING SECRETARY: Your note of yesterday's date has come into my possession, in which you have been pleased to reply to the two which I had addressed to your department on the 28th of April last, and on the 9th instant, in reference to the exportation of stone coal from some ports of the United States for the French war vessels, Le Rhin and La Victoire, and to the fact that facilities have been extended to vessels of the same nationality for repairs at the navy yard on Mare island, in California.

You are pleased to say to me, in the note to which I have the honor of replying, that stone coal does not appear to be among the articles which the United

States and Mexico, in their treaty of 1831, have stipulated to regard as contraband of war, and that your department is not aware that it is yet generally regarded as of that character by maritime powers; and you also add that, even, however, if this were the case, there is no law of the United States which prohibits the exportation of contraband of war to any country; for which reasons and others which result from the late change which military affairs present in this country, it would not be proper to prevent the French vessels from supplying themselves with coal in the ports of the United States.

Being now well informed of the principles which the government of the United States recognizes in relation to contraband of war, which was my principal object in addressing to your department the notes already cited, I shall not insist in soliciting the prevention of the exportation of coal to which I refer, nor in the refusal of the repairs of the French vessels-of-war at the navy yards of this nation. Furthermore, I trust that the principles to which I have alluded will, in its contingency, be applied to Mexico, in the same manner that they are to France.

I avail myself of this opportunity to reiterate to you, sir, the assurances of my very distinguished consideration.

M. ROMERO.

Hon. WILLIAM HUNTER, *&c.*

No. 24.

TRADE BETWEEN NEW ORLEANS AND MATAMORAS.

List of papers.

No. 1.	—Mr. Romero to Mr. Seward, (with two enclosures)..	July 26, 1864.
No. 2.	—Mr. Seward to Mr. Romero.....	July 30, 1864.
No. 3.	—Mr. Seward to Mr. Fessenden.....	Aug. 1, 1864.
No. 4.	—Mr. Seward to Mr. Romero, (with one enclosure)...	Aug. 8, 1864.
No. 5.	—Mr. Romero to Mr. Seward.....	Aug. 17, 1864.
No. 6.	—Mr. Seward to Mr. Romero.....	Aug. 23, 1864.
No. 7.	—Mr. Seward to Mr. Romero, (with five enclosures)..	Sept. 19, 1864.
No. 8.	—Mr. Romero to Mr. Seward.....	Sept. 21, 1864.
No. 9.	—Mr. Romero to Mr. Seward, (with one enclosure)...	Mar. 28, 1865.
No. 10.	—Mr. Seward to Mr. Romero.....	Nov. 1, 1865.
No. 11.	—Mr. Romero to Mr. Seward.....	Nov. 3, 1865.

No. 1.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,
New York, July 26, 1864.

MR. SECRETARY: I have the honor to remit to you a copy of extracts of a letter which I have just received from the consul of the Mexican republic at New Orleans, in which he informs me that the federal authorities at that port, have determined not again to clear any vessel for Matamoras.

As such determination is, in my opinion, not compatible with the obligations of the United States toward Mexico, in virtue of the stipulations of the treaty

of commerce which is binding on both nations, and because, on the other hand, it may greatly prejudice the interests of my country, because the importations made through Matamoras not only serve to supply the markets of the States Tamaulipas, Nueva Leon, and Coahuila, but also those of various others of the adjacent States, which cannot avail of another Mexican port on the Gulf, because the nearest are occupied by French troops, I deem it my duty to address myself to you without loss of time to request you to take the subject into consideration and adopt that decision which the rights of Mexico demand.

I avail of this occasion to repeat to you, sir, the assurances of my most distinguished consideration.

M. ROMERO.

Hon. WILLIAM H. SEWARD, &c.

[Enclosure No. 1.—Translation.]

NEW ORLEANS, *July* 4, 1864.

* * * * * *

Already on former occasions the custom-house at this port and the provost marshal have suspended mercantile relations with Matamoras, the former by refusing to clear vessels, and the other by refusing to grant the proper passes that they might proceed to sea; but as the interruptions were of short duration and had a semblance of propriety as a necessity required by operations then directed against Texas, I judged it prudent not to initiate a remonstrance which, under the circumstances, would doubtless have been disregarded. Now, however, that suspension has been renewed, the foundation for it this time being that the goods which are shipped are greater in quantity than the consumption of that port, and the excess consequently finding an open road into Texas, and for the purpose of depriving the enemies of the Union of the facilities for supplying themselves with resources which they cannot at this time obtain directly from Brownsville, these gentlemen, last week. agreed not to give any more *clearances* at the custom-house, unless to vessels *already having permits* to load, but upon *express* condition that they should not take more cargo than what they then *actually* had on board, and to such as were *in ballast*, which is equivalent almost to two subaltern officers of the general government, declaring, on their own motion, a friendly and neutral port to be in a state of blockade.

Considering the injuries without number which the Mexican government will suffer if this purpose is insisted on, not having under its control another port in its limits than the aforesaid Matamoras, nor in the frontier States of the east, or in part of those of the west, through which it could supply many of its wants, with other reflections which the limits of a letter cannot embrace, and ending in the contradiction of the measure spoken of to the sympathies which are unceasingly protested in favor of Mexico in the difficult and unfortunate condition through which she is passing, I took measures to bring them to the ears of the before-named gentlemen, the collector and provost marshal. Ex-Colonel Mejia will relate to you at length what passed at the long conference he had with them, and I have the satisfaction to announce to you that, with some restrictions, clearances will be issued as heretofore, until the government at Washington, which is to be consulted, resolves what must definitively be done.

* * * * * *

I remain, &c., &c.,

F. DE GARAY.

[Enclosure No. 2.]

NEW ORLEANS, *July* 5, 1864.

* * * * * *

I am sorry to inform you that notwithstanding what was formally said by the collector of the customs, no more permits *will be given* for Matamoras. This has been very formally declared this morning. The small steamer *Sonora* is the only vessel which will have one; she will depart on Saturday.

I am, sir, yours,

GARAY.

Don Señor MATIAS ROMERO, *Washington.*

No. 2.

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,
Washington, July 30, 1864.

SIR: I have the honor to acknowledge the receipt of your communication of the 26th instant, with its enclosure from the consul of the Mexican republic at New Orleans, dated July 4, 1864, referring to the suspension of mercantile relations between that port and Matamoras by the federal authorities of the former port.

In reply thereto, I have the honor now to state, that due attention will be given to the subject of your note, and to which you will receive an official answer after the question shall have been referred to the Secretary of the Treasury for his consideration and decision.

I avail myself of this occasion to renew to you, sir, the assurance of my very distinguished consideration.

WILLIAM H. SEWARD.

Señor MATIAS ROMERO, *&c., New York.*

No. 3.

Mr. Seward to Mr. Fessenden.

DEPARTMENT OF STATE,
Washington, August 1, 1864.

SIR: I have the honor to submit, for your consideration and decision, a translation of an official communication addressed to this department by Mr. Romero, the minister of Mexico, on the 26th ultimo, and also of the letter of the Mexican consul at New Orleans, which accompanied his note, in reference to the suspension of commerce with the port of Matamoras.

It is not intended by this department to prejudge the question referred to in these papers, or to suggest a departure from whatever policy may have been adopted in this connexion by the Treasury Department, without full consideration of the subject. I would, however, request that an inquiry be made as to the facts, circumstances, and reasons assigned by the collector of customs for his proceeding in the premises.

I am, sir, your very obedient servant.

WILLIAM H. SEWARD.

Hon. WILLIAM P. FESSENDEN,
Secretary of the Treasury.

No. 4.

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,
Washington, August 8, 1864.,

SIR: In further answer to your note of the 26th ultimo, I have the honor to communicate to you a copy of a letter from the Acting Secretary of the Treasury, under date of the 6th instant, in reference to the suspension of commercial intercourse between the ports of New Orleans and Matamoras, alluded to in your note.

A copy of the report called for by the Treasury Department from the collector at New Orleans will be transmitted you so soon as received.

I avail myself of this occasion to renew to you, sir, my very distinguished consideration.

WILLIAM H. SEWARD

Señor MATIAS ROMERO, &c.

[Enclosure No. 3.]

Mr. Harrington to Mr. Seward.

TREASURY DEPARTMENT,
August 6, 1864.

SIR: I have the honor of acknowledging the receipt of your letter of the 1st instant, transmitting "a translation of an official communication addressed to the State Department by Mr. Romero, the minister of Mexico, on the 26th ultimo," and enclosure, "in reference to the suspension of commerce with the port of Matamoras," and of saying that I have referred the same to the acting collector at New Orleans for report.

With great respect,

GEO. HARRINGTON,
Acting Secretary of the Treasury.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

No. 5.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,
New York, August 17, 1864.

MR. SECRETARY: I have had the honor to receive the note which you were pleased to address to me under date of 8th instant, transmitting a copy of a communication addressed to your department on the 6th by the Secretary *ad interim* of the Treasury, with reference to the suspension of commercial relations between the ports of New Orleans and Matamoras, to which I referred in the note which I had the honor to address to you on the 26th of July last.

I am much obliged for the offer you make to send me a copy of the report which the collector of the customs at New Orleans may give, which has been called for from him by the Treasury Department.

In my turn, I have the honor to inform you that the Mexican consul at New

Orleans communicates to me, under date of said 30th July, that the custom-house at that port had lately begun afresh to clear vessels for Matamoras.

Desirous that communications already resumed may not be again interrupted, and pleased with the good result this affair has had, I gladly avail of the opportunity to renew to you, sir, the assurances of my most distinguished consideration.

M. ROMERO.

Hon. WILLIAM H. SEWARD, *&c.*

No. 6.

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,
Washington, August 23, 1864.

SIR: I have the honor to reply to your note of the 17th instant, in which you acknowledge the receipt of my communication of the 8th current, with its enclosure, from the Acting Secretary of the Treasury, dated August 6, having reference to the temporary suspension of commerce between the ports of Matamoras and New Orleans.

I am gratified to learn from this note that the measures which have been adopted by this government in this connexion are so satisfactory to you, and still more so that the trade between the two ports mentioned has been renewed, as you inform me has been communicated to you by the consul of Mexico at New Orleans in a letter to you of the 30th ultimo.

Trusting that the commercial intercourse which has been so happily resumed will not again be interrupted, I avail myself of the opportunity presented to tender to you, sir, my most distinguished consideration.

WILLIAM H. SEWARD.

Señor MATIAS ROMERO, *&c., New York.*

No. 7.

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,
Washington, September 19, 1864.

SIR: Referring to your communication of the 26th July last, and to my reply of the date of August 8th, ultimo, I have now the honor to transmit to you a copy of the letter of the Secretary of the Treasury, dated September 8th, instant, and of the report of the collector of customs at New Orleans, dated August 22, 1864, all of which refer to the complaint of the Mexican consul at that port respecting the interdiction of commercial relations between the ports of New Orleans and Matamoras, referred to in you note first above mentioned.

This report, it is not doubted, will satisfy you that the trade between those ports has not been interrupted to the extent represented, and that it has been allowed by the authorities of the United States, so far as is strictly consistent with the imperious necessities of a state of war and the peculiar circumstances under which this government is placed in consequence of the existing rebellion in the insurgent States.

I avail myself of this occasion to renew to you, sir, the assurances of my very distinguished consideration.

WILLIAM H. SEWARD.

Señor MATIAS ROMERO, *&c.*

[Enclosure No. 1.]

Mr. Fessenden to Mr. Seward.

TREASURY DEPARTMENT,
September 8, 1864.

SIR: I have the honor to transmit herewith a copy of the report of the collector at New Orleans, dated 22d ultimo, made in answer to the complaint of the Mexican consul at New Orleans, through your department, that proper facilities are refused by him to persons trading to the port of Matamoras.

The collector, as shown by the papers transmitted by him, (copies of which are enclosed,) has furnished all proper facilities to this trade which he believed to be really Mexican, and for the benefit of the Mexican people, and I doubt not his course of action will meet with your approval.

With great respect,

W. P. FESSENDEN,
Secretary of the Treasury.

Hon. WILLIAM H. SEWARD,
Secretary of State.

[Enclosure No. 2.]

Mr. Dennison to Mr. Fessenden.

UNITED STATES CUSTOM-HOUSE, COLLECTOR'S OFFICE,
New Orleans, August 22, 1864.

SIR: I have the honor to acknowledge receipt of your letter of August 6 from the Secretary of the Treasury, enclosing letter from the Mexican consul at New Orleans to the Mexican minister, and from the latter to honorable William H. Seward, Secretary of State.

The letter of the consul complains that proper facilities are refused to persons trading to the port of Matamoras, and improper hindrances interposed to such trade.

The situation of the port of Matamoras is peculiar, being a foreign port, and close to the lines of those in rebellion against the government of the United States. A great trade has sprung up there, where none existed before, between the town of Matamoras and Texas, as well as more eastern rebel States.

The temporary occupation of Brownsville by the national forces did not check this trade, but changed its route higher up the Rio Grande. Brownsville has recently been evacuated, and the trade now suffers no inconvenience. Very large amounts of cotton have been continually coming into Matamoras, and are exchanged for goods and supplies, which are taken into the so-called confederacy. The rebel leaders have made many contracts, and in great part supplied their armies west of the Mississippi from this source.

New Orleans, being a near port, is a convenient point whence to conduct this trade, in which are engaged many disloyal citizens of the United States, both at Matamoras and here.

In conformity with the spirit of my instructions, I have endeavored to restrain as much as possible the illegal and improper part of this trade.

I have furnished all proper facilities to trade which seemed really to be Mexican, and for the benefit of the Mexican people.

I respectfully call your attention to a copy of letter of July 8 from myself to the Mexican consul, enclosed herewith, (marked A;) also to the enclosed paper, (marked B,) which is a statement of the vessels cleared from this port for Mata-

moras since July 1, 1864. I only regret that the number is so large; it shows, at least, there has been sufficient trade for all legitimate purposes.

I respectfully call your attention to a letter enclosed (marked C) from Major General Canby, commanding military division of west Mississippi, concerning this matter. I also refer to regulation xxxv, of the new treasury regulations, of June 30, 1864.

On the 6th day of August I addressed a letter to the Secretary of the Treasury asking instructions concerning trade with Matamoras, to which a new impetus was given by the evacuation of Brownsville, and the stoppage of the internal trade by the new treasury regulations of July 30. In this port twenty-four vessels are up for Matamoras. I deem further restrictions desirable.

The enclosures in your letter are returned herewith, as requested.

I have the honor to be, very respectfully, your obedient servant,

GEORGE S. DENISON,
Special Agent Treasury Department and
Acting Collector of Customs.

Hon. W. P. FESSENDEN,
Secretary of the Treasury, Washington, D. C.

B.

[Enclosure No. 3.]

Abstract of clearances for Matamoras from July 1, 1864.

Date.	Names of vessels.	Nationality.	Tonnage.
1864.			
July 2	Schooner Exchange	American	87
6	Bark E. Thrussel	British	477 (Ballast.)
6	Schooner R. Garafoni	Mexican	18 (Ballast.)
11	Steamship Sonora	American	116
13	Schooner Helena	British	117
20	Schooner Amelia	...do	41
21	Schooner José Jesus	Mexican	13 (Ballast.)
27	Schooner C. W. Chapin	American	121
27	Sloop Ellena	Mexican	14
27	Schooner Harriet Wood	British	78
27	Schooner Lady of the Lake	American	52
Aug. 2	Schooner Susan Jane	...do	116
3	Steamer Rio Grande	...do	212
3	Steamer Orizaba	...do	164
3	Steamer Luisa	Mexican	37
3	Schooner United States	American	30
3	Schooner Lizzie	...do	87
3	Schooner Luz	Mexican	64
4	Brig Water Lilly	American	194
10	Steamer W. U. Gillum	...do	78
12	Schooner Josefa	Mexican	61
12	Ship Louisita	British	594 (Ballast.)
15	Schooner Garibaldi	Mexican	29
15	Schooner Alligator	...do	15
16	Steamship Sonora	American	116
17	Schooner Liberty	...do	13
17	Schooner Bloom	...do	34
19	Schooner Lilly	...do	61
19	Steamer Ike Davis	...do	421
19	Schooner Excelsior	...do	52

CUSTOM-HOUSE OF NEW ORLEANS,
August 22, 1864.

I certify the foregoing to be a true and correct list of clearances for Matamoras, from July 1, 1864, up to date. The above named vessels, E. Thrussel, R. Garafoni, José Jesus, and Louisita, were cleared in ballast; the rest were loaded.

F. E. COSTANG,
Register Clerk U. S. C. H.

C.

[Enclosure No. 4.]

UNITED STATES CUSTOM HOUSE,
Collector's Office, New Orleans, July 13, 1864.

SIR: I have the honor to acknowledge the receipt of your letter dated the 8th instant, and in reply beg leave to state that you are mistaken in supposing that clearances are entirely suspended from this port to Matamoras. There has been a large trade from this port to Matamoras, Mexico—much larger, it is believed, than the commerce of Mexico demands. It is estimated that 80 per cent. of shipments to Matamoras go into Texas, for the benefit of people in rebellion. My instructions authorize the refusal of clearances when there is good reason to suppose that the cargo or any part thereof goes to the enemy.

I desire to assist and promote commerce which is truly Mexican, and for the benefit of residents in Mexico, but I am obliged to use reasonable precaution to prevent supplies reaching the enemy of the United States. Vessels will be cleared hence for Matamoras in case no good reason exists for believing the cargo is intended for Texas. I shall be glad to receive any suggestions you may please to make, or any information you may give concerning this subject.

I have the honor to be, very respectfully, your obedient servant,

GEORGE S. DENNISON,
Special Agent Treasury Department, and Acting Collector of Customs.

F. DE GARAY, Esq.,
Mexican Consul, New Orleans, La.

D.

[Enclosure No. 5.]

General Canby to Mr. Dennison.

HEADQUARTERS MILITARY DIVISION OF WEST MISSISSIPPI,
New Orleans, Louisiana, August 19, 1864.

SIR: I have read the communication from the Treasury Department of the 6th instant, and the accompanying papers from the Mexican consul at this port and the Mexican minister at Washington. I am not advised of the nature and extent of the interferences with the trade of Matamoras of which the consul complains. Whatever they may have been, they undoubtedly fall short of what should have obtained, as it is a matter of public notoriety that supplies exported from this port to Matamoras pass, in violation of the 2d section of the act of Congress approved May 20, 1862, directly into the possession and use of the rebel troops in Texas. The military interference with this trade has been limited thus far to the detention and search of vessels that were freighted in part with contraband of war, or with articles the exportation of which is prohibited

by orders of the President. If the treaty of commerce to which the minister refers requires that the trade with Matamoras should be unrestricted, it creates the correlative obligation that it shall not be abused, to the injury of the government of the United States, and it certainly does not require that this city should be made, as it now is, a depot of supplies for the rebel armies with the merchants in Mexico, the agents for the transfer of these supplies.

Very respectfully, your obedient servant,

ED. R. S. CANBY,
Major General.

G. S. DENNISON, Esq.,
Special Agent and Acting Collector of the Port of New Orleans, New Orleans, La.

No. 8.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,
New York, September 21, 1864.

MR. SECRETARY: I have had the honor to receive the note which you were pleased to address to me on the 19th instant, in which you enclose to me the report made by the collector of the custom-house of New Orleans, in reference to the suspension, ordered by that functionary, of the trade between said port and that of Matamoras, in the republic of Mexico, and to which subject I alluded in the communication which I had the honor of addressing to your department on the 26th of July last, transmitting therewith, to you, the complaint of the Mexican consul at New Orleans, relative to the same subject.

In view of the political events which have taken place recently in Matamoras, and which have caused the aspect of the question to change, it has appeared proper to me to submit this matter to the determination of the Mexican government, and I do so to-day, transmitting to it a copy of your aforesaid note, and also of the documents annexed thereto.

While awaiting the instructions which the President of the Mexican republic may be pleased to communicate to me in reference to this affair, I avail myself of the opportunity to reproduce to you, Mr. Secretary, the assurances of my most distinguished consideration.

M. ROMERO.

Hon. WILLIAM H. SEWARD, *&c., Washington.*

No. 9.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,
Washington, March 28, 1865.

MR. SECRETARY: In the note which I had the honor to address to you, under date of the 21st September of the year last past, I made known to you that I was about sending to my government a copy of the communication which you addressed to me under date of the 19th of the same month, and of the documents accompanying it, relative to the restrictions imposed by the collector of customs of New Orleans upon the commerce between that port and that of Matamoras, in the Mexican republic.

I have now to inform you that I have received the instructions from my government which I was awaiting upon that subject, contained in a note from Señor Lerdo de Tejada, dated in the city of Chihuahua, January 28th ultimo, of which I transmit you a copy of the conducive part. In said instructions you will see that, although the Mexican government does not think that the course adopted by the collector of customs at New Orleans saves harmless the rights of Mexico, the practical interest of this question to us having ceased, because Matamoras is occupied by the enemy, and not being desirous of having causes of dispute upon abstract questions with the government of the United States, it has decided that I should not prosecute the discussion of this point.

I avail myself of this opportunity to repeat to you, Mr. Secretary, the assurances of my most distinguished consideration.

M. ROMERO.

Hon. WILLIAM H. SEWARD, &c.

[Enclosure No. 1.—Translation.]

No. 46.] DEPARTMENT OF FOREIGN AFFAIRS AND GOVERNMENT,
National Palace, Chihuahua, January 28, 1865.

The President of the republic has been informed of what is communicated by you in the duplicates of your despatches, number 172, of the 26th of July, numbers 187, 202, and 220, dated the 10th, 17th, and 31st of August, as also in your principal note, number 247, of the 21st of September last, and in the copies annexed to said notes, with reference to the difficulties which the custom-house of New Orleans opposed, in some cases, to the clearance of vessels bound to Matamoras; of the measures which you adopted thereupon towards that government, (the United States,) and of the last reply which it gave you, in the communication of the Secretary of State, dated 19th of September, and in the copy which he sent you of the communication of the Secretary of the Treasury, dated the 18th of the same month.

Agreeably to the terms of this last reply, it appears that that government deemed the conduct of the collector of customs of New Orleans proper, who deemed himself authorized to permit only the clearance of vessels bound to Matamoras when he certified that they really were bound with the view to Mexican commerce; and not to prevent the clearance of the vessels when he presumed that they were cleared by persons interested in favor of those who are waging war against the government of the United States, with the purpose of introducing the mercantile effects through Matamoras, and to transfer them afterwards to the State of Texas.

You justly remark that the employés of the government of the United States ought not to consider themselves authorized to make, at their arbitration, such a distinction, and that that government could not approve their observing a similar course. The principles upon which the government of Mexico could remonstrate against it are simple and self-evident.

The collector of the custom-house of New Orleans not having alleged that he had had, in none of the cases in which he prevented the clearance, sufficient proofs that the effects were really destined to citizens of the State of Texas, the first want of justification for his conduct consisted in that, while making his assertion without proofs, he could only, by an arbitrary private (personal) opinion, impede the commerce of effects which really were destined to that place. Furthermore, the question being with reference to effects of lawful commerce, even though he should have had the utmost possible evidence that the merchants of Matamoras were to send them, subsequently, to the State of Texas, there was no right to impede, for that reason, their clearance, in the same manner as the government of the United States would have no right, nor has it pretended to

have it, to ask that the States of Mexico bordering upon those of the south should not carry on with these the traffic of lawful commerce. The only exception in which it could rely for this right would be that in the case of articles contraband of war. Any other restriction is clearly contrary to the freedom of commerce and to the treaties existing between the two nations.

The President has, for the same reason, approved of your not having given any assent respecting these facts in your reply to the last communication of that government, and of your having said to it, at the same time, that, as the question ceased to have a practical interest—the port of Matamoras having been occupied by the enemy, which is warring against the government of the republic—you reported the case to this government and awaited its instructions.

In effect, the discussion of the point not having now a practical interest, the non-yielding of any assent on our part is sufficient; and therefore the President, who does not wish to have any cause of dispute with that government, directs that you communicate to Mr. Seward that Matamoras being in the possession of the enemy, he does not deem it necessary that you should continue the discussion of this point. * * * * * *

I protest to you my very distinguished consideration.

LERDO DE TEJADA.

Citizen MATIAS ROMERO,
Envoy Extraordinary and Minister Plenipotentiary of the Mexican Republic in Washington.

A true copy:

IGNACIO MARISCAL, *Secretary.*

WASHINGTON, *March* 28, 1860.

No. 10.

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,
Washington, November 1, 1865.

SIR: I have had the honor to receive your note of the 28th of March last, transmitting to me a copy of the communication addressed to you by Señor Lerdo de Tejada, the minister for foreign affairs of the Mexican republic, dated January 28, 1865, in which he communicates the views of his government touching the proceedings adopted by the collector of customs at New Orleans, with reference to the clearance of vessels from that port to those of Mexico, and which proceedings have received the sanction and approbation of this government.

However much I may regret that Señor Lerdo de Tejada's views do not coincide with mine upon this subject, I nevertheless am of the opinion that a necessity then existed for the adoption of similar measures of precaution on the part of the collector of customs at New Orleans for the protection of the best interests and rights of this government, then seriously menaced by the insurgents in its southern States; and, in carrying which into effect, I cannot admit that the United States have in any respect violated existing treaties, or contravened the freedom of legitimate commerce between the two countries.

I avail myself of this opportunity to reproduce to Señor Romero the assurances of my highest consideration.

WILLIAM H. SEWARD.

Señor MATIAS ROMERO, &c., *Washington, D. C.*

No. 11.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,
New York, November 3, 1865.

MR. SECRETARY: I have had the honor of receiving to-day your note of the 1st instant, acknowledging the receipt of mine of the 28th of March last, which contained the copy of a communication from Mr. Lerdo de Tejada, minister of foreign relations for the Mexican republic, dated at Chihuahua, the 24th of January last, relative to the stopping of trade between New Orleans and Matamoras ordered by the collector of the port of the former city, with observations intended to justify the measure.

As all practical interest in the discussion of this business is now over, I will only send to my government, as I do to-day, a copy of your note, for the information of the President.

It is pleasing to have this occasion to renew to you, Mr. Secretary, the assurances of my distinguished consideration.

M. ROMERO.

Hon. WILLIAM H. SEWARD, &c.,
Washington City, D. C.

No. 25.

THE CLAIM OF DON MANUEL ARMENDARIZ.

List of papers.

No. 1.—Mr. Romero to Mr. Seward, (with four enclosures).....Jan. 4, 1865.
No. 2.—Mr. Seward to Mr. Romero.....Jan. 18, 1865.
No. 3.—Mr. Seward to Mr. Dana.....Jan. 19, 1865.
No. 4.—Mr. Seward to Mr. Romero, (with two enclosures).....July 18, 1865.
No. 5.—Mr. Romero to Mr. Seward.....July 19, 1865.
No. 6.—Mr. Seward to Mr. Romero.....June 5, 1865.
No. 7.—Mr. Romero to Mr. Seward, (with two enclosures).....Sept. 19, 1855.
No. 8.—Mr. Seward to Mr. Romero, (with one enclosure).....Nov. 8, 1865.
No. 9.—Mr. Romero to M. Seward.....Dec. 4, 1865.

No. 1.

Mr. Romero to Mr. Seward.

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,
Washington, January 4, 1865.

MR. SECRETARY: I have the honor to remit to you copy of a petition, and of the documents annexed to it, which have been addressed to me by the Mexican citizen Manuel Armendariz, for himself and in the name of his brothers, owners of the land on which Fort Craig has been built, in the Territory of New Mexico, county of Socorro.

From such petition and annexed documents it appears that the Armendariz family is the legitimate owner of said lands; that its right was acknowledged by the government of the United States, and especially by the Congress of the said United States; that on two occasions, within the space of ten years, it has made

contracts of lease of said lands to and with the federal authorities; that having expired the time of such contracts, one of the parties interested came from Chihuahua to this city to make a new one directly with this government, and that after having detained him here a long time he was told verbally that he had no title to the land.

As no other recourse remained to the party interested to obtain reparation for the wrong done to him by a declaration which does not appear to be founded in justice, it has occurred to me that through the medium of the legation in my charge such reparation may be sought, and I, in view of the foundations of the case, believe it to be my duty to request you will please to communicate to me authentic intelligence of what has occurred in this business, so that, in view of such, I may ask from the government of the United States, if I should think it necessary, what would be due to the rights, repeatedly recognized, of the Armendariz family.

I avail myself of this occasion to renew to you, Mr. Secretary, the assurances of my most distinguished consideration.

M. ROMERO.

Hon. WILLIAM H. SEWARD, *&c.*

[Enclosure No. 1.—Translation.]

WASHINGTON, *December* 20, 1864.

MR. MINISTER: Manuel Armendariz, native and resident of the city of Chihuahua, in the Mexican republic, with due respect states to you: That in union with my brothers I inherited from my father, Don Pedro Armendariz, some lands situate on the banks of the Rio Bravo, and now embraced in the territory of New Mexico, in the United States, county of Socorro. In the year 1848, the treaty of Guadalupe being recently made, we presented, as was required of us, our proprietary rights to the government then established at Santa Fé, which besides caused information to be given about the possession we had of said lands. In 1857, there having been appointed by the government (that of the United States) a surveyor general for the Territory of New Mexico, our titles were again presented to him, and other information was taken, we having on that occasion asked that our right of domain should be confirmed in the terms prescribed by the act of Congress of this country passed the 22d of July, 1854, on the subject.

In consequence of this the Secretary of the Interior made report to Congress on the 3d of February, 1860, of all private claims for lands in said Territory, and mine among them, which claim is marked No. 34 of the documents annexed to the report of said Secretary, made at the date mentioned to the House of Representatives and the Senate. On the 21st of June of the same year, (1860,) after regular proceedings and inquiry, Congress passed a law entitled "An act to confirm certain private land claims in the Territory of New Mexico," in which section 3d sanctioned the rights of individuals to certain lands in New Mexico, among which were ours, because the sanction includes, from the report, claims No. 20 up to No. 38 of those which accompanied the report of the department, and my report, as I have said, is No. 34. By the 4th section of that law it is declared that the confirmation of these rights to lands import the quit-claim of such as the United States might have, reserving those of individuals. It is, therefore, clear that, as regards the government of this country, my brothers and I are the owners of the lands in question.

Well, then, on the 28th of May, 1854, one of my brothers, with the approval of those interested, made a contract of lease of part of our lands, which is in the centre of the rest, with the government of the United States through the military commandant in New Mexico, of which contract I annex an authentic copy to this statement. As in this lease it was stipulated that the lease might

be prolonged upon the same clauses and conditions for other five years, the first five being ended, it so came to pass, by means of a new contract made on the 25th day of May, 1859, likewise approved by this government, and of which I also annex an authenticated copy.

On the 25th May last the lease definitively expired, and as it had been made for the rent of one dollar a year, for the purpose only that our ownership should be recognized, and that at its close all the improvements and buildings, which should be made on the land, should be given up to us, as was expressly agreed, we are now owners not only of the soil, which has always belonged to us, but also of the fort built upon it and called "Fort Craig."

Major General Carlton, commanding in the Territory, at once informed the government of the necessity of continuing the occupation of our land and the fort, for which it was indispensable to make a new contract. For the purpose of arranging this, I went first to Santa Fé, and then came to this city, where I arrived in June last past. I at once began to be hampered by difficulties, because I was told the report of General Carlton had not been received. At last came a duplicate with all the necessary documents, and on the 2d of August last I received through the legation an official letter from the Quartermaster General, in which he asks me what are the conditions I propose to the government to continue occupying my property, as you will see by the original document, which I annex.

Without stopping to mention the difficulties with the agent of whom I had to make use, I will only say that, having given him my instructions that he might make proposals for a leasing, I believed they were made, and awaited the decision of the government about them, when, filled with surprise, I learned from said agent that it had been decided that I had no right to the land at Fort Craig. It appears to me impossible that it can have given such a decision after the antecedents I have relied on. I came from New York, where I was temporarily resident, to this city, and having gone to the proper department, was informed that the existence of such a decision was a fact; that, as I was told, it was made in consequence of a report from the Land Office. What the grounds of this report may be, or the reasons for which it should suffice to destroy my rights confirmed by Congress and by the recognition of this government during ten years of tenant occupancy, are things which I cannot even imagine. On the other hand I am told that the governmental decision, which so greatly surprises me, is now without remedy through the administrative channels.

I find myself, therefore, under the necessity of turning to the minister, that he may protect me with his influence, by requesting of this government that it may order a conscientious revision of a decision which cannot but be mistaken and must rest upon some misunderstanding. I shall be content that the rights which belong to my brothers and myself be respected, by a decision on my proposals for leasing. If this should be made by mutual agreement we will pass over the right which we have to claim indemnity for the total destruction which has been made of our pastures, and particularly of the woodlands on the leased ground and immediately adjacent, because although we granted the right to their use, we did not thereby authorize the *abuse* of destroying all. Should the agreement not be made, we shall have to reduce to form our claim in this respect.

At present I restrict myself to asking a revision of the decision which ignores mine and my brothers' right of property, trusting it may be revoked, because I cannot imagine that the government of the United States would seek to oppress me by a denial of justice. For this result I hope, Mr. Minister, that you will deign to interpose your influence, by which you will do me a particular favor.

WASHINGTON, *January* 4, 1865.

A true copy:

MANUEL ARMENDARIZ.

F. D. MACIN, *Second Secretary of Legation.*

[Enclosure No. 2.]

STATE OF TEXAS, *County of El Paso:*

This indenture, made this 28th day of May, 1854, between Juan Zubiran, attorney in fact of José R. Garcia, of the State of Chihuahua and republic of Mexico, of the one part, and the government of the United States, through her legally authorized agent, Brevet Brigadier General John Garland, commanding the military department of New Mexico, of the other part, witness, that the government of the United States is now in possession of a certain piece, parcel, or tract of land, upon which is situated the military post known and designated as Fort Craig; and whereas the said José R. Garcia, having given full power and authority to the aforesaid Juan Zubiran by letter of attorney of date February 15, 1854, to make and execute to the aforesaid Brevet Brigadier General John Garland, for and in behalf of the said government of the United States, a full and perfect lease in and to the above mentioned premises, for the term of five years, with the privilege of an extension of said term for five years more, to be used for military purposes as aforesaid, I, the said José R. Garcia, being the sole heir of Senor Don Pedro Armendariz, deceased, having full power and authority as such to execute these premises:

Now, this indenture witnesseth, that for and in consideration of the sum of one dollar by the said Brevet Brigadier General John Garland unto the said John Zubiran, attorney in fact as aforesaid for the said José R. Garcia, in hand paid, at and before the sealing and delivering of these presents, the receipt whereof he doth hereby acknowledge, he, the said Juan Zubiran, has granted, assigned, transferred and leased, and by these presents doth grant, assign, transfer and lease unto the said Brevet Brigadier General John Garland or his proper representatives, for and in behalf of the said government of the United States, the following piece or parcel of ground, to wit: Situated on the west bank of the Rio Grande, in the Territory of New Mexico, about eight miles below the present site of Fort Conrad, commencing at the southern boundary of a certain tract of land heretofore sold and conveyed by the aforesaid Pedro Armendariz to Smith and Biggs, and extending along the river three miles below the said post Fort Craig, the said tract embracing all the lands lying between the southern boundary of Smith and Biggs, the last named point, and extending back from the river a distance of one mile; the said government of the United States, through her agents, to have free use of the necessary grazing and wood for fuel or other necessary purposes off of said land.

The said lease and transfer to continue in full force for the full term of five years, with the privilege on the part of the said party representing the government of the United States aforesaid, or his successor or successors, to extend the aforesaid lease for the additional term of five years; and the said Brevet Brigadier General John Garland hereby binds himself and his successors to deliver quiet and peacable possession of the said tract of land, together with all and singular the rights, uses, and improvements which now exist, or which may hereafter be made on the said tract of land by the said government of the United States, unto the said José R. Garcia, Juan Zubiran, or other legally authorized person, (provided, always, that there is no other better claimant in law to said tract of land,) so soon as the aforesaid term or the extension thereof shall have expired.

To have and to hold the aforesaid tract of land unto the said Brevet Brigadier General John Garland, or his successor or successors, for the uses aforesaid of the said government of the United States for the aforesaid term or terms against the claim or claims of the aforesaid José R. Garcia, his heirs, executors or administrators.

In testimony whereof, we have hereunto set my hand and affixed my scroll, (by way of seal,) this the day and date above written.

JOSÉ R. GARCIA, [SEAL.]
By his attorney, JUAN N. ZUBIRAN.
JOHN GARLAND, [SEAL.]
Brevet Brigadier General U. S. A.

Witnesses:
J. T. CANBY.
L. WARTON, *Captain U. S. A.*

WASHINGTON, *January* 4, 1865.

A true copy:

F. D. MACIN,
Segundo Secretario de la Legacion.

[Enclosure No. 3.]

TERRITORY OF NEW MEXICO, *County of Socorro:*

This indenture, made and entered into this 25th day of May, A. D. 1859, by and between Juan Zubiran, attorney in fact and in law of Manuel Armendariz, Rodrigo Garcia, and others, heirs of Pedro Armendariz, deceased, of the State of Chihuahua, in the republic of Mexico, of the first part, and the government of the United States, through her agent, Brevet Captain John P. Hatch, United States army, commanding officer of Fort Craig, New Mexico, of the second part, witnesseth: That for and in consideration of the sum of one dollar in hand by the party of the second part to the party of the first part, the receipt whereof is hereby acknowledged, the said party of the first part hath granted, assigned, transferred, and leased unto the said party of the second part, the following piece or parcel of land, lying in the county of Socorro and the Territory of New Mexico, on the west bank of the Rio Grande, beginning at the southern boundary of a tract or parcel of land sold by said Pedro Armendariz to Smith and Biggs, and extending along the river to a point three miles below the military post of Fort Craig, the said tract embracing all the lands lying between the southern boundary of Smith and Biggs and the last-named point, and extending back from the river a distance of one mile, the said government of the United States to have free use of the necessary grazing and wood for fuel, or the other necessary purposes of a military station, off of said land.

The said lease and transfer to continue in full force for the full term of five years, from the 28th day of May, A. D. 1859; and the said Brevet Captain John P. Hatch hereby binds himself and his successors to deliver quiet and peaceable possession of the said tract of land, together with all and singular the rights, uses, and improvements which now exist, or may hereafter be made, on the said tract of land by the said government of the United States, unto the said Juan Zubiran or other legally authorized person, (provided that there is no other better claimant in law to the said tract of land,) so soon as the aforesaid time shall have expired.

i The said lease is a renewal of the lease given by Juan Zubiran, attorney n fact of José Garcia, on the 28th day of May, 1854, according to a provision in said lease, allowing the United States government to renew the said lease for a term of five years, should the said government so elect.

In witness whereof, we have hereunto set our hands and seals this date and day above mentioned.

MANUEL ARMENDARIZ, [SEAL.]
By his attorney, JUAN N. ZUBIRAN.
JOHN P. HATCH,
Brevet Captain U. S. Army, commanding Fort Craig.

Witness:
G. PERNS, *Assistant Surgeon U. S. Army.*
G. W. HOLT, *Second Lieutenant Infantry.*

WASHINGTON, *January* 4, 1865.

A true copy:

F. D. MACIN,
Segundo Secretario de la Legacion.

[Enclosure No. 4.]

QUARTERMASTER GENERAL'S OFFICE,
Washington City, August 2, 1864.

SIR: The Quartermaster General acknowledges the receipt of your communi cation of the 5th ultimo, and accompanying papers, relating to the land on which Fort Craig, New Mexico, is located, and respectfully requests to be advised upon what terms you propose to allow the government the continued use of the property at that post claimed by you.

Very respectfully, your obedient servant,
By order of the Quartermaster General,
J. J. DANA,
Captain and Assistant Quartermaster General U. S. Army.

Mr. MANUEL ARMENDARIZ,
Mexican Legation, Washington City.

WASHINGTON, *January* 4, 1865.

A true copy:

F. D. MACIN,
Segundo Secretario de la Legacion.

No. 2.

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,
Washington, January 18, 1865.

SIR: I have the honor to acknowledge the receipt of your communication of the 4th instant, enclosing copies of the petition of the Mexican citizen Manuel Armendariz, of the 20th ultimo, and three other papers connected therewith, relative to the land on which Fort Craig has been built in the county of Socorro, in the Territory of New Mexico.

You inform me in your note that this property has heretofore been twice leased by the government of the United States from the Armendariz family, whose agent, having recently come from Chihuahua to renew their contract with this government, has been verbally told that he had no title to the land in question, and in consequence of which you desire to receive authentic information touching the subject, in order to enable you to ask from this government, should you deem it proper, what is due to the rights of the Armendariz family.

In reply, I have the honor to state that copies of your communication and of
s several accompaniments will be submitted to the consideration of the Acting
ecretary of War, with the request to furnish me the information which you
esire, and that upon its reception at this department it will be immediately
ommunicated to you.

I avail myself of this opportunity to renew to you, sir, the assurance of my
ery distinguished consideration.

WILLIAM H. SEWARD.

Señor MATIAS ROMERO, &c.,
Washington, D. C.

No. 3.

Mr. Seward to Mr. Dana.

DEPARTMENT OF STATE,
Washington, January 19, 1865.

SIR: I have the honor to submit for your consideration the translation of a
ote received from Señor Romero, the minister of Mexico, dated the 4th instant,
nd of the papers which accompanied it, in reference to the lease and ownership
f the land upon which Fort Craig, in New Mexico, has been built.

I will thank you to cause an investigation to be made into the subject, and to
ommunicate the result thereof to this department, in order that I may be en-
bled to reply satisfactorily to Mr. Romero's note.

I have the honor to be, sir, your obedient servant,

WILLIAM H. SEWARD.

No. 4.

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,
Washington, July 18, 1865.

SIR: Referring to my communication of January 18, 1865, in answer to your
ote of the 4th of the same month, relative to the claim of Don Manuel Armen-
lariz to the ownership of the site of Fort Craig, in New Mexico, I have the
onor to transmit you herewith a communication from the War Department,
nder date of May 29, 1865, and also of the letter from the Quartermaster Gen-
eral's office of January 25, 1865, referred to in the former, both of which have
elation to the subject-matter of the claim of Don Manuel Armendariz.

These documents have not been sooner communicated to you owing to the
reat pressure of other official business upon this department, which I request
you will accept as an excuse for the apparent tardiness in transmitting them
o you.

I avail myself of this occasion to renew to you, sir, the assurances of my
very distinguished consideration.

WILLIAM H. SEWARD.

Señor MATIAS ROMERO, &c.,
Washington, D. C.

[Enclosure No. 1.]

Mr. Dana to Mr. Hunter.

WAR DEPARTMENT,
Washington City, May 29, 1865.

SIR: Referring to a communication from the Department of State of the 19th of January, 1865, in which were transmitted for the consideration of this department the translation of a note from Señor M. Romero, the minister of the republic of Mexico, dated January 4, 1865, and accompanying papers, in relation to the claim of Manuel Armendariz to the ownership of the site of Fort Craig, in New Mexico, I have the honor to inform you that the papers described were referred to the Quartermaster General of the army, who reported upon Mr. Armendariz's claim, as will be seen in the accompanying copy of a letter from that officer, dated January 25, 1865.

From this report it appears that the claim in question is without just foundation, and cannot be entertained by this department.

A formal reply to your communication was not made at the time, on account of the pressure of business before the department. It appears, however, that the claimant has been made aware of the adverse decision in his case.

Very respectfully, your obedient servant,

C. A. DANA,
Assistant Secretary of War.

W. HUNTER, Esq.,
Acting Secretary of State.

[Enclosure No. 2.]

General Thomas to Mr. Stanton.

QUARTERMASTER GENERAL'S OFFICE,
Washington City, January 25, 1865.

SIR: With reference to the letter of the Hon. Secretary of State and its enclosures—"a translation of a note from Señor Romero, the minister of Mexico, dated the 4th instant, and of the paper which accompanied it, in reference to the lease and ownership of the land upon which Fort Craig, in New Mexico, has been built," all of which are herewith respectfully returned—I have the honor to report:

That this subject was brought to the notice of the Quartermaster General in a communication from Mr. Manuel Armendariz, dated the 5th of July last, and accompanying papers, in the shape of a proposition to lease to the United States the land upon which Fort Craig, New Mexico, is located. The receipt of these papers was acknowledged, and inquiry was made upon what terms it was proposed to lease the property. Subsequently the authority of Mr. Armendariz to act in the matter was requested, as he appeared to be acting for others as well as himself.

Answers having been received to these preliminary inquiries, the whole subject was submitted for the investigation of the Commissioner of the General Land Office. The Commissioner transmitted to this office an elaborate report on the subject, setting forth the absolute right of the United States to the Fort Craig reserve, affirming that it rests upon a principle too well established to be ever disturbed; "and as a consequence no claim thereto, either in law or equity, is acknowledged by this office (the Land Office) as existing thereto in the Armendariz claimants."

In a letter dated the 12th of November, 1864, M. L. Townsend, esq., 167 Broadway, New York, who had been conducting the correspondence with thi office on behalf of Mr. Armendariz, was advised of the opinion of the Commissioner of the General Land Office, and informed that, "this being the decision of the officer of the government charged with the care of the public lands, further consideration of the case by the Quartermaster General is rendered unnecessary."

From the records of this office it appears that all the papers in the case filed here were upon an order therefor, submitted to the Secretary of War on the 9th of December last. To these papers reference is respectfully made for details, which in their absence the acting Quartermaster General is unable to furnish.

I am, very respectfully, your obedient servant,

CHARLES THOMAS,
Brevet Brig. Gen., Acting Quartermaster General.

Hon. EDWIN M. STANTON,
Secretary of War, Washington, D. C.

No. 5.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,
Washington, 19th of July, 1865.

MR. SECRETARY: I have had the honor to receive your note dated yesterday, in which you are pleased to enclose to me a copy of another, transmitted to your department by the War Department under date of the 29th of May last, together with a report of the Quartermaster General of the 25th of January of this year, all of which relate to the affair of Don Manuel Armendariz, who claims the ownership of the land upon which Fort Craig, in New Mexico, is situated.

The note of your department being a reply to the one which I addressed it on the 4th January of the current year, requesting you to be pleased to give me information respecting the reasons which had caused the Secretary of War to decide that Don Manuel Armendariz had no rights to the land mentioned, and as in the aforementioned report of the Quartermaster General a vague allusion is made to another rendered by the Commissioner of the General Land Office, but without setting forth what may be their foundation, I beg of you to be pleased to ask for and to transmit me a copy of the report of said Commissioner, in order that I may be enabled to know what is the legal reason which has caused the rights of Armendariz to be disowned, which were solemnly declared by the Congress of the United States, and acknowledged by the government thereof, in two different contracts of lease entered into with that person.

I avail myself of this occasion to renew to you, Mr. Secretary, the assurances of my very distinguished consideration.

M. ROMERO.

Hon. WILLIAM H. SEWARD, *&c.*

No. 6.

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,
Washington, November 5, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 19th of July, 1865, in reference to the claim of Don Manuel Armendariz to the ownership of the land upon which Fort Craig, in New Mexico, is situated.

A copy of your note will be transmitted to the honorable the Secretary of War, with the request to furnish this department a copy of the report of the Commissioner of the General Land Office, referred to therein, and which when received will be communicated to you.

I avail myself of this opportunity to renew to you the assurances of my distinguished consideration.

WILLIAM H. SEWARD.

Señor MATIAS ROMERO, &c.,
Washington, D. C.

No. 7.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,
New York, 19th of September, 1865.

MR. SECRETARY: I have the honor to remit to you a copy of a note which the department of foreign relations of the Mexican republic addressed to me from the city of Chihuahua under date 28th July, numbered 294, sending therewith an exposition which the Mexican citizen Manuel Armendariz addressed to the President of the republic, soliciting his protection, that he may be listened to and noticed by the government of the United States on his complaint about the ownership of Fort Craig, to which matter I have referred already in two of the notes which I have addressed to the department. I also enclose copy of the exposition referred to.

As I am awaiting the answer which may be given to my note of the 19th of July last, in which I asked the department to facilitate to me a copy at least of what was material in the report rendered by the Commissioners of Public Lands, in which it was undertaken to prove that the land on which Fort Craig is built belongs to the United States, and not to the Armendariz family, I abstain from now repeating the representations I have made of the rights which favor the party interested until I see said report, the foundations of which I do not get at.

I therefore beg you will deign to order that this document be supplied to me.

It is very satisfactory to me to avail of this opportunity to repeat to you, Mr. Secretary of State, the assurances of my most distinguished consideration.

M. ROMERO.

Hon. WILLIAM H. SEWARD, &c.

[Enclosure No 1.—Translation.]

DEPARTMENT OF FOREIGN RELATIONS AND OF GOVERNMENT.—DEPARTMENT OF RELATIONS, SECTION FOR AMERICA, NUMERO 294, CLAIM OF SEÑOR ARMENDARIZ.

NATIONAL PALACE,
Chihuahua, July 28, 1865.

The citizen licentiate Manuel Armendariz, residing in this capital, for himself and as representing his brothers and co-heirs, has presented to this department the exposition which I send to you annexed.

The following facts are related in it: That Don Pedro Armendariz, father of the exponent, was owner, many years before the treaty of Guadulupe, of a tract of land known by the name of Hacienda de Balverde, in the Territory of New Mexico, situated on the two margins of the river Bravo, about ten leagues

below the town of Socorro; that immediately after the treaty he presented his titles of ownership, and proved by evidence the uninterrupted possession of the land; that on the 28th day of May, 1864, the government of the United States, by means of the commander of the military department of New Mexico, made with Mr. Armendariz a contract for hiring part of the Balverde land to establish on it a military post, which was called Fort Craig, being a hiring for five years, to be extended at the will of the United States government upon condition that at the end of the contract the land should revert, with all the improvements made thereon of every kind; that in 1858, in the exercise of its right, the government of the United States extended the hiring over another five years upon the same considerations; that the titles of property in Mr. Armendariz, with the respective reports from the surveyor general, and from the Department of the Interior, were approved by the Chamber of Representatives of the United States; that in June, 1864, citizen Manuel Armendariz began to treat with the Quartermaster General about concluding a new lease, and in October the agent of Mr. Armendariz received an official note saying to him there was no reason to make a new contract, the fort and the land being the property of the United States; that on the 27th of January of this year General Carleton, commanding the military department of New Mexico, made a new hiring from C. Manuel Armendariz, believing it to be advantageous to his government, and supposing it would be approved as soon as the mistake was recognized that had been fallen into in declaring the land to be the property of the government of the United States, and that, contrary to what was expected by Mr. Armendariz, the quartermaster at Santa Fé informed him on the 8th of March of this year that the contract made by General Carleton was disapproved.

Although Mr. Armendariz annexed to his exposition the two documents of the new contract he made with General Carleton, and of the communication from the quartermaster at Sante Fé, I think it unnecessary to send them to you, because they treat of a contract which General Carleton has already communicated to that government.

As C. Armendariz narrates in his exposition that when he was at Washington he addressed himself to you on this subject, and therefore you have previous knowledge of it, I confine myself to sending you the said exposition, because, with the data referred to in it, you can address yourself to the government in terms proper to explain to it the rights claimed by the parties interested.

Accept my very respectful consideration.

LERDO DE TEJADA.

Citizen MATIAS ROMERO,
Envoy Extraordinary and Minister Plenipotentiary of the Mexican Republic at Washington.

A copy:

IGNO. MARISCAL, *Secretary.*

NEW YORK, *September* 19, 1865.

[Enclosure No. 2.—Translation.]

No. 9000.—THIRD SEAL—FOUR REALS.—OF MOTIONS.

Constituted for the two years one thousand eight hundred and sixty-four and one thousand eight hundred and sixty-five.

PRINCIPAL OFFICE OF SEALED PAPERS,
Chihuahua, May 15, 1865.

FRANCISCO ARELLANO,
ANDRES ARMENDARIZ,
Native and Resident of this Capital.

Citizen President of the Mexican republic:

The licentiate Manuel Armendariz, native and resident of this capital, for himself and as representative of his brothers and co-heirs, whose powers, *viséd* by the department of relations and legalized as to its signatures, were remitted to Washington to our envoy: I have the honor to bring this representation before the chief magistrate of our country, in asking for the protection which the laws authorize every citizen to claim from his government when that of another nation has denied to him the justice he is entitled to, as has happened to ourselves with the government of the United States, as I proceed to show in the following narrative:

My deceased father, Don Pedro Armendariz, was the owner for many years, in the ancient Territory of New Mexico, of a tract of land known by the name of Balverde, and situated on both banks of the Rio Bravo, about ten leagues below the town of Socorro. That territory being ceded to the Americans by the treaty of Guadalupe Hidalgo, the new authorities excluded the presentation of any title of individual ownership, and for this reason it was that in August, 1848, I went with power from my father to record the titles of his property, and to prove, by means of reports, the uninterrupted possession thereof, a work which occupied me until May, 1849.

On the 28th of May, 1854, the government of the United States, through Brevet Brigadier General John Garland, commanding the department of the army of New Mexico, made with my father a contract of leasing a part of the land of Balverde to establish on it a military post, which was called Fort Craig. This contract was to last for five years, with privilege of extension for five years longer at the desire of the American government; the principal conditions were, that the tenant should have the free use of the pastures and groves in the land by paying my father one dollar yearly as acknowledgment and in form of the contract, and that being ended by returning to my father the lands let by him with all the improvements made on them of whatever kind they might be. In 1858 the government of the United States, in the exercise of its privilege, extended the lease for another five years under the conditions aforesaid; and then my presence was necessary in New Mexico as much for this cause as to carry out the last arrangements of that place, to take a plan of our lands and present it, with the titles to ownership, to a surveyor appointed to receive all those of all the individual proprietors of that territory. Our titles, through the respective reports of the surveyor general and of the Department of the Interior, were approved by the House of Representatives of the United States.

In April, last year, one month before the termination of the extension of the contract, I returned to New Mexico for the purpose of receiving again the lands rented out and their improvements, or to make a new bargain in case the American government should wish to continue to occupy our property. General Carleton, then superior officer in the Territory, although he thought he ought to make a new contract because the government wanted to continue in occupation of Fort Craig and the lands it possessed under anterior contracts, nevertheless, not considering himself sufficiently empowered for the purpose, communicated with his government with this object, and it was necessary I should pass on to Washington to that end.

In the beginning of June following, finding myself at that city, I presented a document to the Quartermaster General stating to him I was ready to enter into a new agreement for letting, in accordance with the views of General Carleton, and I sent with my communication authenticated copies of our titles of ownership and of the two former contracts, and also the plat of the land. Two months afterwards, in August, the quartermaster sent me a note asking me to present to him my proposals for a new letting, and for that purpose I appointed an attorney to whom I gave the instructions necessary in the case.

After various communications having been interchanged between my agent and the quartermaster relative to the conditions and requisites of the new agreement which was projected, my agent received in October an official note, in which he said to him "that the fort and the land being the property of the government of the United States, according to the report of the Commissioner General of Lands, he had, consequently, nothing to do with me."

I went personally to seek explanations of this resolution, as unjust as unexpected, and was answered that they could not give them to me. I asked for the return of the documents which I had presented with my first written paper, and was given for answer, that all documents presented at the offices of that government passed into its ownership by that fact alone, and could not be returned. I then went to the War Department, and they gave me the same replies.

No other recourse remaining to me, I addressed our minister, Mr. Romero, placing before him a complaint, accompanied by all the antecedents and documents sustaining the matter; and although that gentleman at once took it up with his accustomed energy, I am unaware to this time what he may have obtained in favor of my claim, because it being impossible for me to remain longer in that country, because other affairs of importance obliged me to return near to my government, I came, leaving a person empowered to avoid inconveniences from my absence.

On my passage through New Mexico I called at the offices at Santa Fé to learn the reasons which had caused the unjust resolution adopted at Washington in virtue of the report of the Commissioner General of Lands, but the clerks in those offices found no antecedent whatever which could place our rights in question; on the contrary, considering that a mistake must have been made by the Commissioner General of Lands in despatching his report, (because that officer could not, for forming his judgment, have had other data than were supplied from the offices in New Mexico,) they issued to me, in proof of many rights, the corresponding certificates, which I have remitted to my attorney at Washington. General Carleton, moreover, being informed of what had occurred, arranged that the quartermaster of the Territory should conclude with me the contract of letting, which he deemed advantageous for the government, and which he supposed would be approved when the mistake, which had been fallen into in declaring Fort Craig and the land let by us to be property of the United States, should be known; in effect, we concluded a new bargain, of which I transmit, accompanying this exposition, an authenticated copy marked No. 1.

Contrary to all our anticipations, founded on the most rigorous justice, this new agreement was disapproved, according to the communication annexed from the quartermaster at Santa Fé, (marked No. 2,) in such manner, that which before could be believed to be a mistake is nothing less than the deliberate purpose with which the government of the United States proposes to itself to carry out the unjust resolution of which I have before spoken. And to avoid either against their being put out of the way, or a transfer of control of the documents which I now present, I beg that they may at once be recorded.

I have to lay before you, lastly, that the ten years passed under the first contract for letting and its extension, the tenants did not limit themselves to using the pastures and hills which were ceded to them, but that they availed themselves of the environs, destroying large and valuable groves which it was not permitted to them to touch, and the disappearance of which naturally reduces the value by estimation of much property.

Having demonstrated the arbitrariness with which the government of the United States has proceeded in this case, and the denegation of justice it has opposed to the divers representations made by me, by appropriating to itself, without reason or law, not only the lands with their improvements which it held under tenancy, but even the (constancées) fee simple of the contract, and

it being impossible for me or my representatives to take other recourse in defence of our disregarded rights than that of gathering about us the high protection of our national government, it is for this reason that, in the name of those I represent and my own, I turn to you, citizen President, and beg you may deign to give us protection and aid, causing our complaint to be listened to, and our claims considered by the government of the United States; that after this business being examined deliberately and maturely, and the justice which supports us recognized, our property may be restored to us, and the damages, consequent on the spoliation which causes this complaint, be made whole.

With the greatest respect, I protest in form, &c.

MANUEL ARMENDARIZ.

CHIHUAHUA, *June* 29, 1865.

A copy:

IGNO. MARISCAL, *Secretary.*

NEW YORK, *September* 19, 1865.

No. 8.

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,
Washington, November 8, 1865.

SIR: Referring to my note of the 5th instant, I have now the honor to enclose to you the copy of the report of the Commissioner of the General Land Office, dated October 25, 1864, addressed to Colonel J. J. Dana, of the Quartermaster General's department, relative to the claim of Don Manuel Armendariz to the ownership of the land upon which Fort Craig, in New Mexico, is situated.

I avail myself of this opportunity to renew to you, sir, the assurances of my very distinguished consideration.

WILLIAM H. SEWARD.

Señor MATIAS ROMERO, *&c., Washington, D. C.*

[Enclosure No. 1.]

DEPARTMENT OF THE INTERIOR, GENERAL LAND OFFICE,
October 25, 1864.

SIR: With your communication of the 17th instant the enclosed papers were received, connected with a proposition to *lease* to the United States the land upon which Fort Craig, in New Mexico, is situated—

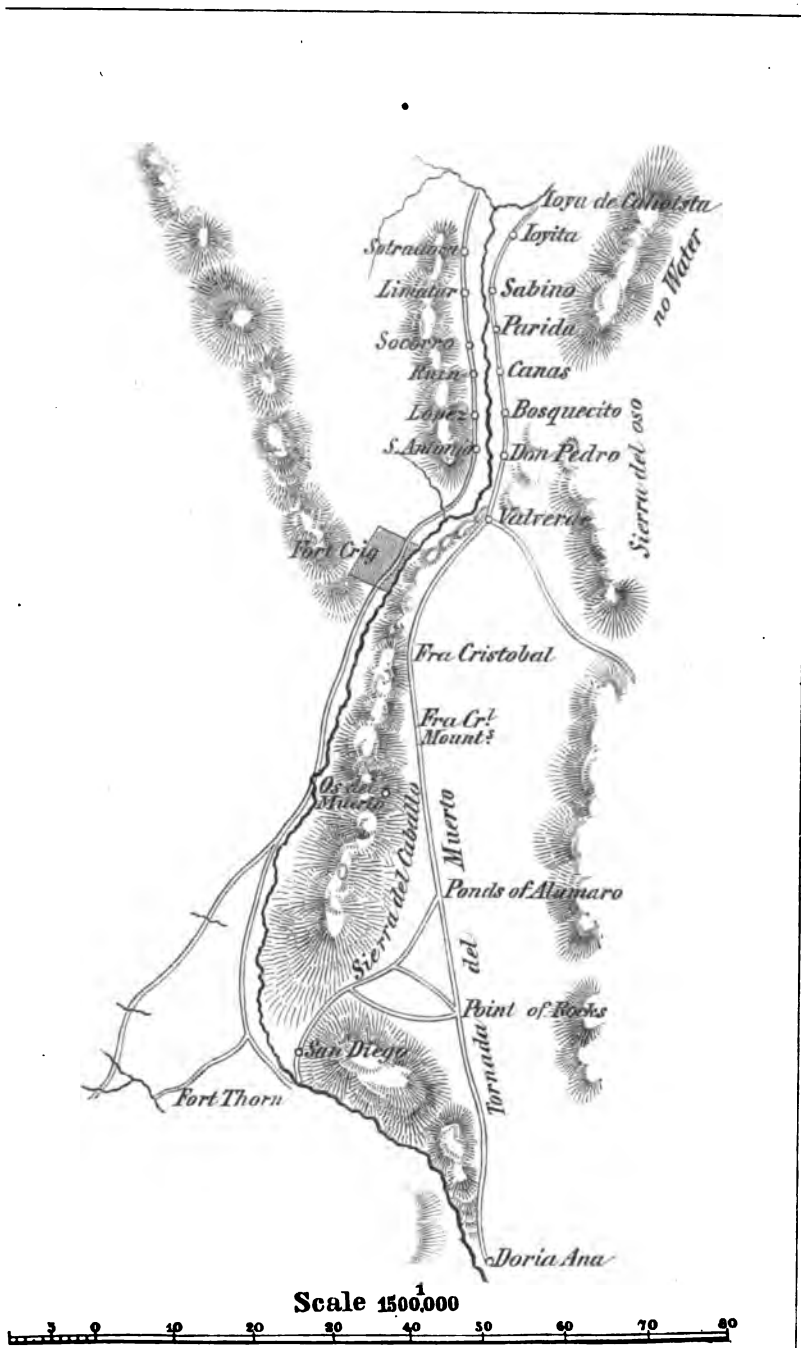
The Quartermaster General not being in possession of proof of ownership in the parties desiring to lease, the question is referred to this office for the desired information on that point.

According to the data in this office it appears—

1st. That "Fort Craig" is on the west bank of the Rio Grande, in township 8 south, of range 2 west, of New Mexico meridian, *and* a tract in quadrangular form equal to —— miles square, embracing the site, would cover the locality indicated by a pink shade on the plat herewith.

The United States have not disposed of that tract to any one, but hold a complete legal title thereto, in virtue of the treaty of 1848 at Guadalupe Hidalgo with the Mexican republic.

"A treaty of cession is a deed of the ceded territory; the sovereign is the grantor; the act is his so far as it relates to the cession; the treaty is his act and deed, and *all* courts must so consider it; and deeds are construed in equity by the rules of law." (United States *vs.* Arredondo and others, 6th Peters's Supreme Court of the United States Reports, page 738.)


Ioya de Cahotsta
Ioyita
Sotradora
Limatar
Sabino
Parida
Socorro
Ruin
Canas
Lopez
Bosquecito
S. Antonio
Don Pedro
Valverde
no Water
Sierra del oso
Fort Crig
Fra Cristobal
Fra Cr.l Mount.s
Os del Muerto
Sierra del Caballo
Muerto
Ponds of Alumaro
del
Point of Rocks
San Diego
Tornada
Fort Thorn
Doria Ana
Scale 1/1500,000
5 0 10 20 30 40 50 60 70 80

As against the *legal* title of the United States to the land in question, it appears an adverse interest is set up under—

2d. A claim by the representatives of Pedro de Armendariz for a body of land on the right or west bank of the Rio Bravo, or Grande del Norte. This claim is entered as No. 34 in the report dated July 20, 1859, of the surveyor general at Santa Fé, New Mexico. Transcripts in the case are printed in House of Representatives Ex. Doc. No. 14, 1st session 36 Congress, pages 220 to 231 inclusive.

The claim is based upon an application made by Pedro de Armendariz on 1*st May*, 1820, to the then *Spanish* colonial governor, Tacunda Melgares, for "unoccupied land, to wit: opposite the bend (ancon) of Valverde on the opposite side of the river, the first boundary being opposite to the Mesilla del Contedero, where said bend (ancon) joins the hills; the second, the little spring of the Cañas Verales, distance about three leagues, and is in the direction of the point of the little mountain which runs below Socorro; from the aforementioned little spring, that is from its source, one league to the east, two leagues to the north, and three leagues to the west; and returning to the source of said little spring, drawing a straight line to the little mountain of San Pascual, the boundary being the termination of the aforesaid little bend, where the river again joins the hill on the same side of the river;" the "nearest settlement to it being the town of Socorro, which is about nine leagues distant."

Upon this application the Spanish governor, Melgares, issued an order, dated at Santa Fé May 3, 1820, to the alcalde of Belen, to place the petitioner "in royal possession," and to "execute to him the proper deed therefor for his security," (le dara posesion real de el, y le estendera-la correspondiente escritura por su seguridad.) These Spanish papers of 1820, which are the basis of the claim, do not *name* the river to which it is conterminous. Further, the surveyor general reports "there is nothing on the face of the papers to show that possession was given;" nor is it shown that the escritura or proper title-deed was ever granted—an instrument essential to the security of the Spanish title—but parol testimony is produced in support of the claim, from 37 to 39 years after its date, on pages 227 to 231. Witness Francisco Garcia y San Juan refers to it as "on the right bank of the Bravo river." When interrogated as to when Armendariz "was placed in or received possession," states it was "about the year 1820, and that he abandoned it when he left Valverde and Fra Cristobal, which was about the year 1825 or 1826;" that "he did not know that he had made any improvement, but had seen a large number of cattle and horses pastured on the land;" the witness adding that when Armendariz left he stated the reason to be, the frequent robberies of cattle and incursions of hostile Indians. The witness Louis Telles, in 1857, is to the same effect. The next witness, M. Ashhurst, who was in the country "since 1849," testifies in 1859, that "since 1852" he had seen and been upon the land, and "had known it to be claimed by the heirs of Armendariz and Smith, and Biggs, who claim under the heirs, except old Fort Conrad." The testimony in 1859 of the other two and remaining witnesses, *Lena* and Duran, being merely in verification of the handwriting of Melgares.

The Spanish monarchs ruled in the Mexican territory through the viceroys, intendentes, captain generals, and governors from the conquest in 1521 by Hernando Cortez to the year 1821, when the power of Old Spain terminated in Mexico. Upon the accession of Charles V, Emperor of Germany, to the Spanish crown, under the title of Charles 1st, King of Spain, he became the ruler of the boundless Spanish empire in America. After his accession, and in the year 1524, he established by an ordinance the Council of the Indies, by which to frame laws, ordinances, and regulations for the Spanish ultramarine empire.

These laws are found in the Recopilaciones de Leyes de los Indias. By royal ordinance of 24th September, 1571, Philip the 2d commanded the enforcement o these laws.

Additions and emendations were subsequently made, and the republication o

these verified and required to be enforced by royal order in 1682; other editions were made in 1723, 1745, followed by a collection from that year till to 1805.

In examining these laws, ordinances, edicts, regulations and institutes, constituting the Spanish land system, in their bearing upon the authority for distributing the royal domain, the pervading principle of that system is a *limitation* in extent of the grant to the object for which the land is conceded, the bona fide dedication of the premises to that end, the establishment of certain and well-defined boundaries, these being prerequisite to the ultimate title, and forfeiture for non-fulfilment of conditions.

What has been done in these respects in the case of Armendariz?

It is not proved that occupancy or settlement was kept up for any considerable time, but, on the contrary, the premises were *abandoned* nearly 40 years ago. During the Mexican rule, after the Spanish power was ended, for 23 years before the United States acquired the territory nothing was done to perfect the title, it not being shown that this claim was ever adopted or approved by Mexico. Under the treaty with that republic it was, of course, incumbent upon this government to respect private property, and to confirm such bona fide inceptive or other grades of title as originated under the Mexican authorities, or if Spanish, where sanctioned and approved by said authorities; but in regard to such claims as originated under the dominion of Spain, and were not so adopted, there is no obligation whatever upon this government to allow them, because not answerable, unless assumed by Mexico *before* our acquisition of the country. The United States acquired Florida from Spain by the treaty of 1819, but were not bound to respect British grants, the act of the sovereignty from whom we did not get the country, where they had not been adopted by Spain before the 24th January, 1818, when the overtures of cession were first made, and hence Congress by the 1st section of the act of 26th of May, 1830, vol. 4, p. 405, excepted from confirmation British claims, even though sanctioned by the Spanish government, where that sanction was not given *till* after said overtures.

This Armendariz claim was not segregated by survey during the continuance either of the Spanish or Mexican regime, nor by any juridical act have its boundaries been established, or its area ascertained, although 44 years have elapsed since its inception. It is assumed on the part of those interested that in virtue of the act of Congress approved 21st of June, 1860, vol. 12, page 71, concerning this No. 34, as entered in surveyor general's report, it has such a *status* as will justify its taking hold of the Fort Craig reserve. That relinquishment statute is express in declaring that the confirmation "shall not affect the adverse rights of any other person or persons whomsoever," thereby expressly excluding this United States proprietary reservation right, for a year before the date of that law. An official map was published on which was distinctly marked out the military tract set apart for Fort Craig as an actually subsisting public right.

Upon no principle can it lawfully be assumed that such a claim as this can take hold of and embrace a well-defined and established military reserve existing before the said act of confirmation; on the contrary, in view of its complex and uncertain terms, it is, in the judgment of this office, perfectly competent for the legislative department to declare the *manner* in which said claim may be satisfied. Upon a full understanding of the facts, not only the reason of things justifies such proceeding, but precedent for it may be found in the course taken in regard to claims in Missouri held by parties to be confirmed by the general law of 13th June, 1812, whose claims were unascertained and equally indefinite. Congress accordingly further legislated by an act approved 26th May, 1824, fixing a period, 18 months, within which parties were required to prove up their claims before the recorder of land titles, who was authorized to issue, as evidence of title in cases satisfactory, a confirmation certificate. Here we have a sound practical precedent warranting the intervention of Congress in declaring how this case shall be dealt with, standing, as it does, without the pale of treaty obli-

gation; for is it supposed consistent with any principle of right that this huge, irregular, and indefinite claim shall hang suspended over the public domain, arresting the disposal of the public lands, and to the prejudice of public and individual interests?

What does the Supreme Court of the United States declare in expounding and applying the Spanish law, in a case analogous?—(United States *vs.* Boisdore, 11 Howard, page 96.) "The grantee might have his land surveyed, or he might decline; he might establish himself on the land or decline; these acts rested wholly in his discretion. But if he failed to take possession and establish himself, he had no claim to a title; his concession or first decree in such case had no operation."

The court, in that case, at the same time, further held it to be "undoubtedly true that, if no actual possession was taken under a gratuitous concession given for the purpose of cultivation, or raising cattle, during the existence of the Spanish government, no equity was imposed on our government to give any consideration or effect to such concession or *requete*."

But let it be assumed, for argument's sake, that the possession in this case was not ephemeral and constructive, but a *bona fide* and substantial possession, maintained, not abandoned, with conditions of title continuously fulfilled, that juridical possession was given, its validity sanctioned by Mexico, and on that basis absolutely confirmed, without the saving terms expressed in the aforesaid act of Congress approved 21st June, 1860; and even then it could not lawfully embrace the Fort Craig military reserve. Why? Because it is a principle of Spanish law that the government has a right to its military sites and reserves, which cannot be invaded or impaired by such concessions. This is laid down with perfect distinctness in the case of Colin Mitchell *vs.* United States. (9, page 711, and 15 Peters, page 80.) When that case came up, on appeal to the Supreme Court of the United States, at the January term, 1835, the Forbes grant was confirmed, "with the exception of so much of the last-mentioned tract as includes the fortress of St. Mark's and the territory directly and immediately adjacent and appurtenant thereto," which the decree "reserved for the use of the United States." The Supreme Court at the same time ordered, that "the extent and boundaries of the land thus excepted and reserved" should be ascertained and determined by the superior court of the middle district of Florida. Proceedings were had accordingly by that court, which decreed "that the extent of such reservations was determined by a radius of fifteen hundred Castilian varas, from the salient angles of the covered way all round the works; or, there being no covered way, from the salient angles of the exterior line of the ditch;" and that decree was affirmed by the Supreme Court of the United States at the said January term of 1841.

The principle has since been applied in the case of the site of Fort Jackson, Louisiana. That reserve is situated between the limits of a Spanish claim, resting on an order of survey given by the Baron de Carondelet on the 14th January, 1795, to St. Maxent. (State Papers, vol. 2, page 279.) In that case, the board of land commissioners, which had power finally to confirm, in virtue of the act of Congress approved 3d March, 1807, did confirm the claim of Smith & Hove under St. Maxent, "reserving to the United States the ground within two hundred toises of Fort Bourbon." The United States did not take the "Fort Bourbon" site, but established *another* military reserve within the Spanish grant, nearly a mile further down the Mississippi. Under the laws and usages of Spain, it was held that our government, as the successor of that power, of course, succeeded to all public rights, and among these, under Spanish law and usage, had the right to elect this military site, and accordingly did so elect. The matter was reviewed by Attorney General Clifford in an opinion dated June 4, 1847, whereby the action of the General Land Office was sustained.

and a patent for the St. Maxent claim was issued, with an express reservation therein of the Fort Jackson reserve, according to Spanish law.

The absolute right of the United States to the Fort Craig reserve, then, rests upon a principle too well established ever to be disturbed, and, as a consequence, no claim thereto, either in law or equity, is acknowledged by this office as existing thereto in the Armendariz claimants.

Very respectfully, your obedient servant,

J. M. EDMUNDS,
Commissioner.

Colonel J. J. DANA,
Quartermaster General's Department.

No. 9.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION TO THE UNITED STATES OF AMERICA,
Washington, 4th of December, 1865.

SIR: I have the honor of acknowledging the reception of the note you were pleased to address to me on the 8th November last, acccompanying a copy of the report of the Commissioner of Public Lands of the United States to Colonel J. J. Dana, of the Quartermaster's department, relative to the case of Manuel Armendariz, a Mexican citizen, who claims the land on which Fort Craig is built, in New Mexico.

I send to my government to-day a copy of the note, with the report concerning it.

I avail myself of this opportunity to renew to you, Mr. Secretary, the assurances of my most distinguished consideration.

M. ROMERO.

Hon. WILLIAM. H. SEWARD, *&c.*

No. 26.

MEXICAN PRISONERS AT FORT DELAWARE.

List of papers.

No. 1.	Mr. Seward to Mr. Romero, (with one enclosure).....	Aug. 8, 1864.
No. 2.	Mr. Romero to Mr. Seward.....	Aug. 17, 1864.
No. 3.	Mr. Seward to Mr. Romero.....	Aug. 23, 1864.
No. 4.	Mr. Seward to Mr. Stanton.....	Aug. 23, 1864.
No. 5.	Mr. Romero to Mr. Seward.....	Aug. 30, 1864.
No. 6.	Mr. Seward to Mr. Romero, (with two enclosures).....	Mar. 12, 1866.
No. 7.	Mr. Romero to Mr. Seward.....	Mar. 12, 1866.

No. 1.

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,
Washington, August 8, 1864.

SIR: I have the honor herewith to transmit to you a copy of a letter of the 6th instant, received from the Assistant Secretary of War, in relation to the release of George D. Lustin and José A. Candida, prisoners of war, now confined

at Fort Delaware, and who were referred to in your several communications to this department of the 18th September, 1863, and 15th February, 17th March, and 25th April, 1864.

From this enclosure you will perceive that the cases of these two Mexicans were referred to Major General Hitchcock, whose report, being adverse to their release from imprisonment, is approved by the War Department.

I avail myself of this occasion to renew to you, sir, the assurance of my high consideration.

WILLIAM H. SEWARD.

Señor MATIAS ROMERO, &c., *New York.*

[Enclosure.]

Mr. Dana to Mr. Seward.

WAR DEPARTMENT,
Washington City, August 6, 1864.

SIR: In reply to your letter of the 28th of April last, enclosing a copy of a note from the Mexican minister, requesting the release of George D. Lustin and José A. Candida, prisoners of war at Fort Delaware, who have been the subject of previous communications from your department, I am instructed by the Secretary of War to inform you that the question has been referred to Major General Hitchcock, whose report against their release is approved by this department.

I have the honor to be, sir, your obedient servant,

C. A. DANA,
Assistant Secretary of War.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

No. 2.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,
New York, 17th of August, 1864.

MR. SECRETARY: I have had the honor to receive the note you were pleased to address to me, dated the 8th instant, transmitting copy of a letter addressed to the department on the 6th by the Assistant Secretary of War in relation to the case of the Mexicans who are prisoners at Fort Delaware.

From such documents it seems that the case of the prisoners mentioned was submitted to Major General Hitchcock, who decided against setting them at liberty, and whose decision was approved by the Secretary of War.

Not being informed of the grounds for this decision, it is not possible for me to know whether by it the rights of these unfortunates, who claim the protection of Mexican nationality, have been duly respected, as they allege they were compelled by force to serve in the army of the rebels, to which they declare they do not wish to return, and one of whom has already broken down in consequence of the inflictions suffered in prison.

Although the antecedents and respectability of Major General Hitchcock are reasons sufficient to presume that his decision is sustained by justice and considerations of law, the obligations I am under to my country and fellow-citizens make it my duty to beg of you, before I communicate my assent to the decision

of the War Department, or to offer new remarks upon it, to please to send me a copy of the decision made by General Hitchcock, if that should not be inconvenient, or at least a statement of the grounds which have decided him to believe that he ought not to liberate the said prisoners.

I avail of this occasion to renew to you, sir, the assurances of my most distinguished consideration.

M. ROMERO.

Hon. WILLIAM H. SEWARD, &c.

No. 3.

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,
Washington, August 23, 1864.

SIR: I have received your note of the 17th instant, in answer to mine of the 8th, respecting the decision made by the War Department in the cases of the two Mexican prisoners of war, still detained at Fort Delaware.

In reply to the request contained in your said note, I have the honor to inform you that a translation thereof has this day been submitted to the consideration of the Secretary of War, asking for the decision or statement of the grounds upon which Major General Hitchcock acted in coming to a determination not to liberate said prisoners, and which information will be communicated to you immediately upon its receipt at this department.

I have the honor to renew to you, sir, the assurance of my very distinguished consideration.

WILLIAM H. SEWARD.

Señor MATIAS ROMERO, &c., *New York.*

No. 4.

Mr. Seward to Mr. Stanton.

DEPARTMENT OF STATE,
Washington, August 23, 1864.

SIR: I have the honor to enclose a translation of a note from Señor Romero, the minister of Mexico, dated August 17 instant, in relation to the Mexicans who are held as prisoners of war at Fort Delaware, upon the decision of Major General Hitchcock, after an investigation of their cases, as you were pleased to inform me by your communication of the 6th instant upon the subject.

Mr. Romero, as you will perceive, requests of this department a copy of the decision made by General Hitchcock, or at least a statement of the grounds which have led to a decision adverse to their liberation.

This request appearing to be reasonable, I will thank you to communicate to me the information desired, that I may transmit it to the minister of Mexico.

I am, sir, your very obedient servant,

WILLIAM H. SEWARD.

Hon. EDWIN M. STANTON,
Secretary of War.

No. 5.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,
Washington, 30th of August, 1864.

MR. SECRETARY: I have the honor to communicate to you that I have received the note which you were pleased to address to me, under date of the 23d instant, informing me that my communication of the 17th current—in which I asked for a copy of the opinion of General Hitchcock in relation to the case of the Mexican prisoners who are now at Fort Delaware, or a statement of the grounds upon which he relied for his decision against their being set at liberty—had been submitted to the consideration of the Secretary of War, whose reply you promise to communicate to me so soon as you shall have received it.

Thanking you kindly for your attention, I avail myself, with pleasure, of the opportunity of reiterating to you, Mr. Secretary, the assurances of my most distinguished consideration.

M. ROMERO.

Hon. WILLIAM H. SEWARD, *&c.*

No. 6.

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,
Washington, March 12, 1866.

SIR: In preparing the correspondence called for by Congress, relative to Mexican affairs, it is found that the reply of the War Department on the subject of the two Mexican citizens held as prisoners of war at Fort Delaware, in July, 1864, has not been communicated to you.

Begging you to excuse the delay which has accidentally occurred in this respect, I have now the honor to transmit to you a copy of the letter of the Assistant Secretary of War, of August 29, 1864, and of the indorsement referred to therein.

I avail myself of this occasion to renew to you, sir, my very distinguished consideration.

WILLIAM H. SEWARD.

Señor MATIAS ROMERO, *&c., Washington, D. C.*

[Enclosure.]

WAR DEPARTMENT,
Washington City, August 29, 1864.

SIR: In reply to your letter of the 23d instant, enclosing a copy of a note from the Mexican minister of the 17th instant, relative to certain Mexicans held as prisoners of war at Fort Delaware, I am instructed by the Secretary of War to transmit a copy of the indorsement of Major General Hitchcock in relation to the application for their discharge.

I have the honor to be, sir, your obedient servant,

C. A. DANA,
Assistant Secretary of War.

Hon. WILLIAM H. SEWARD,
Secretary of State.

Lustin was captured in arms against the government at Gettysburg; upon this fact he is held as a prisoner of war, and justly held. Discharges are not ordered upon the statements of individuals thus situated.

E. A. HITCHCOCK,
Major General of Volunteers.

AUGUST 5, 1864.

No. 7.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION TO THE UNITED STATES OF AMERICA,
Washington, 12th of March, 1866.

MR. SECRETARY: I am honored by the reception of your note of this day, enclosing the copy of a communication of the Assistant Secretary of War to the Department of State dated the 29th of August, 1864, containing the opinion of General Hitchcock in relation to the case of two Mexican citizens confined in Fort Delaware as prisoners of war, upon which subject I had the honor to address several communications to you about the end of 1863 and beginning of 1864.

I think there are many objections to General Hitchcock's opinion, but as all practical interest in the discussion of the question has now passed, the prisoners having been liberated at the conclusion of the war, I will confine myself to the acknowledgment of the reception of your note and the two enclosed documents, and inform you I will this day send copies of all the papers to my government.

I avail myself of this occasion to renew to you, Mr. Secretary, the assurances of my most distinguished consideration.

M. ROMERO.

Hon. WILLIAM H. SEWARD, *&c.*

No. 27.

MURDER OF MEXICAN CITIZENS AT CAMPO CHINO, CALIFORNIA.

List of papers.

No. 1. Mr. Seward to Mr. Romero, (with two enclosures)..... Aug. 8, 1864.
No. 2. Mr. Romero to Mr. Seward ..... Aug. 18, 1864.
No. 3. Mr. Seward to Mr. Romero ..... Aug. 23, 1864.

No. 1.

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,
Washington, August 8, 1864.

SIR: I have the honor to transmit for your information a copy of a communication from the governor of the State of California, in answer to my instructions to him of March 17 last, respecting the apprehension and punishment of the parties engaged in the murder of two Mexican citizens at Chinese Camp, State of California, referred to in your note to me of March 12, 1864.

I avail myself of this occasion to offer you, sir, the assurance of my high consideration.

WILLIAM H. SEWARD.

Señor MATIAS ROMERO, *&c., New York.*

[Enclosure No. 1.]

DEPARTMENT OF STATE,
Washington, March 17, 1864.

SIR: I have the honor to transmit to your excellency the translation of a note dated the 12th instant, addressed to me by Señor Romero, the minister of Mexico, respecting the alleged murder by a mob at Campo Chino, in California, of two Mexican citizens, Leyva and Nunez, who were in the custody and under the protection of the authorities.

I am sure your excellency will share with me in the profound regret I entertain that any events should have occurred which might be used as the basis of such statements as have been made public, respecting the occurrences referred to. Your excellency will fully appreciate the earnest desire felt by the national government to demonstrate to the world, even in this crisis, its determination and ability to maintain law and order, whilst guaranteeing to all foreign residents those rights of person and property to which they are entitled alike by the usages of enlightened nations and by the stipulation of treaties. I take leave, therefore, to commend the subject to your earnest consideration, with the view of accomplishing such results as will fulfil the ends of justice and satisfy the just expectations of a friendly government.

I have the honor to be, your excellency's obedient servant,

WILLIAM H. SEWARD.

His Excellency FREDERICK F. LOW,
Governor of the State of California, Sacramento, California.

[Enclosure No. 2.]

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, July 5, 1864.

SIR: I have the honor to acknowledge the receipt of your letter of the 17th March, covering copies of papers submitted to you by the Mexican minister, concerning the alleged murder of two Mexicans at Chinese Camp, in this State.

Immediately on the receipt of the letters and papers referred to, I caused the district attorney of the county in which Chinese Camp is located to be apprised of the matter, with instructions to use every exertion to have the offenders brought to justice, and I have no doubt my orders will be duly carried out.

Very respectfully, your obedient servant,

F. F. LOW.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

No. 2.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,
New York, 18th of August, 1864.

MR. SECRETARY: I have had the honor to receive the note you were pleased to address to me, dated the 8th instant, transmitting, for my information, copy of a communication addressed to your department the 5th July last past, by the governor of the State of California, in reply to instructions you sent him on the 17th March previous, about the arrest and punishment of the actors in the

murder of two Mexican citizens at Campo Chino, to which affair I referred in the note I had the honor to address to the department on the 12th March aforesaid.

It has been very satisfactory to me to see in said communication from the governor of California the efficiency with which he took measures for the discovery and punishment of the delinquents in these assassinations.

I avail of this opportunity to repeat to you, sir, the assurances of my most distinguished consideration.

M. ROMERO

Hon. WILLIAM H. SEWARD, &c.

No. 3.

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,
Washington, August 23, 1864.

SIR: I have had the honor to receive your note of the 18th instant, acknowledging mine of the 8th present, with its enclosure from the governor of State of California, under date of the 5th July ultimo, relative to the measures adopted by said governor, under the instructions from this department, for the apprehension and punishment of the perpetrators of the murder of two Mexican citizens at Campo Chino, California, during the month of December, 1863.

I avail myself of this occasion to reiterate to you, sir, the assurances of my distinguished consideration.

WILLIAM H. SEWARD.

Señor MATIAS ROMERO, &c., *New York*.

No. 28.

MURDER OF MEXICAN CITIZENS AT LA PLATA, NEVADA TERRITORY.

List of papers.

No. 1. Mr. Romero to Mr. Seward, (with eight enlcosures)..... Sept. 8, 1864.
No. 2. Mr. Romero to Mr. Seward, (with one enclosure) ..... Sept. 28, 1864.
No. 3. Mr. Seward to Mr. Romero..... Nov. 1, 1864.
No. 4. Mr. Seward to Mr. Romero, (with four enclosures)..... Feb. 28, 1865.
No. 5. Mr. Romero to Mr. Seward, (with one enclosure)..... June 20, 1865.
No. 6. Mr. Seward to Mr. Romero..... Nov. 4, 1865.
No. 7. Mr. Seward to Mr. Blasdel..... Nov. 4, 1865.

No. 1.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,
Washington, September 8, 1864.

MR. SECRETARY: I have the honor to remit to you a copy of a communication which I have received from the consul of the Mexican republic at San Francisco, California, and of the documents thereto annexed, dated 25th July last, in which he informs me that the Mexican citizens José Aniceto Baldenebro and Simon Montoya were assassinated on the tenth of June previous, in the neighborhood of La Plata, a settlement belonging to Nevada Territory, and that the authorities of Churchill county, within the limits of which La Plata is situ-

ate, have taken no step to secure the apprehension of the evil-doers, and institute against them the proper prosecution. The consul of Mexico at San Francisco had already addressed the governor of Nevada Territory, as appears from the communication you will see in one of the subjoined copies, informing him of what had occurred, and soliciting his intervention to remedy the negligence of the local authorities. In transmitting the documents mentioned to you, it is my painful duty to request you will extend to the authorities of Nevada Territory the instructions which your department sent to the governor of the State of California, dated 17th March last, to the end that through this means the lives of Mexican citizens living in those distant regions may be secured against similar outrages, and that the protection which the laws of the country and the treaty stipulations, which are binding on Mexico and the United States, may become effective.

I avail of this opportunity to reproduce to you the assurances of my most distinguished consideration.

M. ROMERO

Hon. WILLIAM H. SEWARD, *&c.*

[Enclosure No. 1.—Translation.]

CONSULATE OF MEXICO AT SAN FRANCISCO,
July 25, 1864.

I send to you herewith certified copies of various documents which have been transmitted to me from Virginia City and from La Plata, in the Territory of Nevada, marked with numbers 1 to 6, in which an account is given me of the assassinations perpetrated on the Mexican citizens Aniceto Baldenebro and Simon Montoya in the neighborhood of the latter place above-mentioned, (La Plata.) By these you will see that the authorities of Churchill county, in said Territory of Nevada, have done nothing to obtain the apprehension of the misdoers, and institute against them the proper prosecution.

I have thought proper, in view of the great distance which separates us from Washington, to address a respectful and simple communication to the governor of that Territory, informing him of all that has occurred, and sending him certified copies of the same documents which I enclose to you, so as to hasten the apprehension of the offenders, the punishment of the crime, and what else may ensue. If I do not in due season receive satisfactory reply, I will inform you, that in such case you may please to take the steps you may deem proper in the affair. Meantime I have thought it my duty to inform you of the fact, which also may serve to keep you advised of the condition in which many of our countrymen are in relation to the security of their lives and fortunes in these regions.

The Mexicans in California and Nevada Territory have frequently been the victims of unjustifiable attacks, and we cannot say that the authorities have shown themselves to be diligent in administering due justice in many of these cases. All of which I bring to your knowledge, repeating that I will very soon render account to you of the reply I may obtain from the governor of Nevada Territory.

I repeat to you the protestation of my respectful consideration.

M. E. RODRIGUEZ.

Mr. MATIAS ROMERO,
Envoy Extraordinary and Minister Plenipotentiary
of the Republic of Mexico, Washington.

Copy:
In absence of the secretary,

F. D. MACIN,
Second Secretary of the Legation.

WASHINGTON, *September* 17, 1864.

[Enclosure No. 2.—Translation.]

SAN FRANCISCO, *July* 26, 1864.

SIR: As chief of the executive authority in the Territory of Nevada, I very respectfully call your attention to the circumstances which happened on the assassination of two Mexican citizens, named José Aniceto Baldenebro and Simon Montoya, which took place on the 10th, on the way to Austin, five miles from Sand Springs, Churchill county, in said Territory, so that you may institute judicial proceedings in the case, if you have not had official advices from the authorities of said county, so that the murderers of these unfortunate people may be sentenced. And as the occasion is such as needs your intervention that the principles of justice may be maintained, and the safety of life and property guaranteed both to foreigners as to natives, I send you copies and translations on the matters, such as have been sent me from said Territory as consul of the republic of Mexico, marked Nos. 1, 2, 3, and 4. The undersigned, in view of delays, has thought to expedite this, in place of addressing the Mexican minister at Washington respecting the affair, by addressing himself to you directly.

With the highest consideration, I have the honor to be, &c.,

M. E. RODRIGUEZ.

His Excellency JAMES W. NYE,
Governor of the Territory of Nevada.

Copy, which I certify:

M. E. RODRIGUEZ.

Copy:
In the absence of the secretary,

F. D. MACIN,
Second Secretary of the Legation.

WASHINGTON, *September* 7, 1864.

[Enclosure No. 3.—Translation.]

REPRESENTATION—COPY.

VIRGINIA CITY, *July* 15, 1864.

The subscribers, natives of the State of Sinaloa, Mexico, resident at Reese river, N. T., twelve miles north of Austin, on a rancho of my own, situate on the Italian cañon. Some articles of farm labor being indispensable to me—cattle, ariedas, seeds, &c.—I sent my son, José Aniceto Baldenebro, with some money, to this place, (Virginia,) giving him two animals, that he might buy said articles and bring them to me as soon as possible. But as the time fixed for doing so had passed, and having heard tell of the death of two Mexicans who had animals with them, of whom some signs were given, I resolved to go to the place of the event to make sure of the truth, taking with me as interpreter Don Andres Ortiz, native of Spain, in case he should be needed. As soon as we got to the place called La Plata, we repaired to the authorities, whom we asked to show to us some of the objects belonging to the persons who had been killed, which they did, showing us some saddles and letters, by which I was convinced that one of the dead was my son, and the other Simon Montoya, native of Mexico.

"A. Ortiz: Are you the officers who gave the order to Messrs. N.N. N. to arrest or kill in case of resistance those who lie buried, or do you know what orders were conferred on them by the authorities of the State of California or other place, and if they showed them to you before or after the occurrence?

"The Judge: We have not given any such order, nor do we know they could have had such.

"Ortiz: How many were the parties who perpetrated these assassinations?

"The Judge: Five.

"Ortiz: With what weapons?

"The Judge: Rifles, double-barrelled guns, and revolver pistols.

"Ortiz: What weapons were those the dead had?

"The Judge: Two pistols. (He produced them.)

"Ortiz: Where are the murderers?

"The Judge: At liberty, because no one made complaint against them.

"Ortiz: Of what did the property of the dead consist?

"The Judge: Of four mules and four horses. One of the victims appeared to have died from rifle wounds received in the conflict.

"Ortiz: And where is the property?

"The Judge: The mules have since been claimed by some individuals, who having sworn that they belonged to them, they were delivered to them; the horses alone remaining, which are on a cattle farm near here for account of the county, and two riding saddles, (which are produced,) which we presume belonged to the deceased."

In virtue of what is thus stated, as of what appears from the other certificate, which we enclose, given by the same judge, and also the inquest inserted in the papers, may be seen the arbitrariness and injustice which has been exhibited in the case. Therefore we request all the members of the Patriotic Society of Mexicans in this city and other persons that they may deign to take our statement and forward it to the proper quarter, that such measures may be taken as may be deemed proper.

ALEJO VALDENEBRO.
ANDRES ORTIZ.

Copy, which I certify:

M. E. RODRIGUEZ.

SAN FRANCISCO, *July* 20, 1864.

A copy:

In absence of the secretary,

F. D. MACIN,
Second Secretary of the Legation.

WASHINGTON, *September* 7, 1864.

[Enclosure No. 4.—Translation.]

We who subscribe, Mexican citizens resident in this city and belonging to the Patriotic Society of Mexicans, in attention to what is stated by Don Alejo Valdenebro, father of the deceased Aniceto Valdenebro, and D. Andres Ortiz, beg that such statement be taken under consideration, proceeding according to the requirements of law, of justice, and of humanity.

VIRGINIA CITY, *July* 15, 1864.

Rafael Gonzales, Cruz Sainz, Canuto Santa Anna, Plagedis Reyna, Pedro Sainz, Jesus Alvarez, Diego Perez, Luis Cobarenbius, Florentino Alvarez, Nabor Feliz, Pedro Peña, J. M. Macias, José Ramirez, Antonio Ramirez, Antonio Martinez, J. Arrieta, Pascual Bargues, Felipe Ortega, Luis R. Lopez, D. Mazon, Jesus Muytorena, Apolonio Sanchez, José Condé, Ramon Diaz, Francisco Diaz, José E. Bursallo, Trajano Gomez, Silvestre Gonzales, Manuel Castillo, José Roldan, José A. Solano.

Copy, which I certify:

M. E. RODRIGUEZ.

SAN FRANCISCO, *July* 20, 1864.

A copy:

In absence of the secretary,

F. D. MACIN,
Second Secretary of the Legation

WASHINGTON, *September* 7, 1864.

[Enclosure No. 5.]

LA PLATA, *County of Churchill, F. N.:*

I, William E. Armstrong, acting as coroner at an inquest held in said county on the 12th day of June, A. D. 1864, to inquire into the death of two persons unknown, but whom the jury believe were natives of Mexico, do hereby certify that no one of the parties present at the death of said deceased persons claimed to own any part of the stock found in the possession of said deceased persons previous to their death.

WILLIAM E. ARMSTRONG, *J. P.*

JUNE 25, 1864.

Es copia:

Por aurencia del secretario.

F. D. MACIN,
Second Secretary de la Legacion.

WASHINGTON, *Setiembre* 7, 1864.

[Enclosure No. 6.—Translation.]

THE MEXICAN CONSUL AT SAN FRANCISCO OF CALIFORNIA, DON MANUEL RODRIGUEZ.

LA PLATA, *July* 19, 1864

SIR: Since from Virginia City I and the Mexican citizens sent to you the documents for your information about occurrences at Sand Springs relating to the deaths of Simon Montoya and my son, José Aniceto Valdenebro, I took out a certificate from a competent judge to go back to La Pláta and reclaim the effects which those authorities found in my son's possession, which effects they showed me on the 24th of June, when I showed to these authorities that I was the father of Valdenebro, and represented those effects. Well, upon presenting this certificate from Virginia, they replied that they were already sold at public auction, without offering further pretext than their will, assuming that neither the dead nor their effects would have any consequences.

I annex to you the certificate which the judge at Virginia gave me to come and claim my property. I send you also another paper which shows what was sold and what was posted, serving as notice previous to the sale, but without my knowing it, because it was all done while I was at Virginia.

As soon as I despatch these documents to you, I pursue my journey toward my rancho, which is abandoned in consequence of what has happened. Said rancho is situate on Reese river, twelve miles distant from the town of Austin; and I beg you to send me a few lines to Austin, that I may be satisfied the documents come into your possession. Excuse the trouble I give you.

Your obedient and humble servant.

ALEJO VALDENEBRO.

Copy from the original, which I certify:

M. E. RODRIGUEZ.

SAN FRANCISCO, *July* 23, 1864.

A copy:

In absence of the secretary,

F. D. MACIN,
Second Secretary of the Legation.

WASHINGTON, *September* 7, 1864.

[Enclosure No. 7.]

TERRITORY OF NEVADA, *County of Story:*

Alejo Valdenebro, being by me first duly sworn, deposes and says as follows, to wit: I am the father of Aniceto Valdenebro, who was killed with his servant, Simon Montoya, on or about the 10th of June, A. D. 1864, at Sand Springs district, about five miles of Sand Springs, in Nevada Territory. All the property in the hands of the said servant, Simon Montoya, belonged to my son, said Aniceto Valdenebro. I sent my son on or about the 10th day of May, A. D. 1864, from Reese river to Virginia City, N. T., with three hundred dollars to purchase horses; and at the time my son and his servant were killed they had in their possession two horses, two saddles, and two Colt's revolvers, (six-shooters.) That your affiant is informed and believes that said stock and personal property now remain in the hands of William Armstrong, justice of the peace and acting coroner of Churchill county, at the town of La Plata. And further this affiant saith not.

ALEJO VALDENEBRO.

Subscribed and sworn to before me this 14th day of July, A. D. 1864.

N. W. WINTON,
County Clerk of Story County and ex officio Clerk of the Probate Court.
By THEO. A. HALE,
Deputy Clerk.

[Un sello.]

Es copia:

Por aurencia del secretario,

F. D. MACIN,
Second Secretary de la Legacion.

WASHINGTON, *Setiembre* 7, 1864.

[Enclosure No. 8.]

INQUEST.—We have received from a friend the verdict of a coroner's jury of Churchill county upon the bodies of two Mexicans, a report of whose killing we published one week ago to-day:

TERRITORY OF NEVADA, *County of Churchill:*

Before Wm. E. Armstrong, justice of the peace, acting coroner, in the matter of the inquisition upon the bodies of the deceased persons, unknown, we, the undersigned, the jurors summoned to appear before Wm. E. Armstrong, acting as coroner in the county aforesaid, at a place on the road from Sand Springs Station to Austin, and about four miles east of said station, on the 12th day of June, 1864, to inquire into the cause of the death of two persons found lying dead near said road, at the place aforesaid, whose names are unknown, having been duly sworn according to law, and having such inquisition after inspecting the bodies and hearing the testimony adduced, upon our oaths, each and all do say that we find said deceased persons' names unknown, and believe they were natives of Mexico, one aged about thirty-five years, about six feet in height, black curly hair, black whiskers and short moustache, the second joint of the second finger of the right hand crooked and stiff—dress, short corduroy jacket and gray pants; the other, aged about thirty-seven years, about five feet eight inches in height, straight black hair, a thin moustache; that both of said persons came to their death, in the said county of Churchill, on the 10th day of June, 1864, by means or reason of gun or pistol-shot wounds; and we further find that we believe Cranston Allen, James M. Coats, P. K. Jacoby, Joseph James

and Milton Irish to be the persons by whose acts the death of said deceased persons was occasioned, under the following circumstances, to wit: that said deceased persons were first seen by said Allen on the morning of the 10th day of June, 1864, about twenty-five miles west of Sand Spring Station, of the travelled road, and in possession of four horses and four mules; that said Allen and Coats had had horses lost or stolen; that said Allen started in the direction of said mules and horses for the purpose of examination; that he was stopped by one of said deceased persons, who drew his pistol and told Allen that he should not examine the stock, and ordered him off; that said Allen then went to said Coats and informed him of the circumstances; that said Coats and Allen followed said persons as far as Sand Springs Station; that said persons deceased did not travel the road in passing the stations on the road; that at Sand Springs Station said Allen and Coats told the circumstances, and requested said James, Irish, and Jacoby to go with them to examine said mules and horses; that said parties started and overtook said persons deceased about five miles east of said Sand Springs Station; that on approaching them one of said persons deceased drew his pistol and commenced firing at said Allen; that the other person deceased then drew his pistol, when the firing became general from both parties, in which both of said persons deceased received wounds which caused their immediate death, but who fired the fatal shots is unknown. All of which we duly certify to by this inquisition, in writing, by us signed this 12th day of June, 1864.

P. C. SOVREIGN.
BENJ. F. NICHOLSON.
JOHN EAVES.
JOHN DOLAN.
A. P. WATERMAN.
H. S. WOLFE.

LA PLATA, *Churchill county, June* 14, 1864.

No. 2.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION IN THE U. S. OF AMERICA,
Washington, 28th of September, 1864.

MR. SECRETARY: Referring to the note which I had the honor of addressing to you under date of 8th instant, relative to the assassination of two Mexican citizens in the neighborhood of La Plata, in the Territory of Nevada, I now have the duty to send to the department copy of a communication from the Mexican consul at San Francisco, with reference to the same affair, dated 12th August last, and which has just come to hand.

I avail of this opportunity to renew to you, sir, the assurances of my most distinguished consideration.

M. ROMERO.

Hon. WILLIAM H. SEWARD, *&c.*

[Enclosure No. 1.—Translation.]

SAN FRANCISCO, *August* 12, 1864.

Seventeen days having now passed since I addressed my communication to the governor of the Territory of Nevada (of which I send you a copy) respecting the assassinations perpetrated on the persons of the citizens Aniceto Baldene-

bro and Simon Montoya, and not having received any answer, I have the honor to bring this to your knowledge for such results as may have place. I will inform you, at the same time, that in order to learn the result of the reclamation made by you on the Secretary of State respecting the two other murders committed on the persons of the Mexicans, Luis Seyra and Cosmé Nuñez, I addressed a communication to the governor of this State, who answered me duly that proper orders had been given for an investigation of this affair. I have learned nothing further about the case.

I reiterate to you the assurances of my respectful consideration.

M. E. RODRIGUEZ.

Citizen MATIAS ROMERO,
Envoy Extraordinary and Minister
Plenipotentiary of Mexico, at Washington.

Copy:

WASHINGTON, *September* 28, 1864.

IGNO. MARISCAL, *Secretary.*

No. 3.

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,
Washington, November 1, 1864.

SIR: I have the honor to acknowledge the receipt of your two notes, dated, respectively, September 8 and 28 last past, with their several accompaniments, all of which refer to the murder of the Mexican citizens José Aniceto Baldenebro and Simon Montoya, on the 10th of June, 1864, in the neighborhood of La Plata, a settlement belonging to the State of Nevada.

Copies of your two notes referred to, with their accompaniments, will be transmitted to the governor of Nevada, with instructions to fully investigate the matter and adopt the necessary measures for the prompt punishment of the guilty parties.

I avail myself of this occasion to renew to you, sir, my very distinguished consideration.

WILLIAM H. SEWARD.

Señor MATIAS ROMERO, &c.,
Washington, D. C.

No. 4.

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,
Washington, February 28, 1865.

SIR: Referring to your communications of the 8th and 28th September, and to my reply thereto of the 1st of November, 1864, on the subject of the killing of the two Mexican citizens José Aniceto Baldenebro and Simon Montoya, in the Territory of Nevada, on the 10th of June, 1864, I have now the honor to enclose you a copy of the letter of Governor James W. Nye, of that State, dated December 3, 1864, together with copies of the papers which accompanied it.

I avail myself of this occasion to renew to you, sir, the assurances of my distinguished consideration.

WILLIAM H. SEWARD.

Señor MATIAS ROMERO, &c.,
Washington, D. C.

[Enclosure No. 1.]

STATE OF NEVADA, EXECUTIVE DEPARTMENT,
Carson City, December 3, 1864.

SIR: Your communication of the 2d November ultimo, transmitting correspondence between the Department of State and Señor Matias Romero, the Mexican minister, in relation to the killing of two citizens of Mexico, near La Plata, has just been received.

On or about the 1st of August last I received a communication from the Mexican consul at San Francisco, requesting an investigation into the matter embraced in your communication. I immediately thereafter addressed letters to the sheriff of Churchill county and to the justice of the peace of La Plata on the subject, requesting to be furnished with all the information connected with the matter in their possession. I received no reply from the sheriff. The reply of the justice of the peace is herewith enclosed.

I subsequently addressed a letter to the county treasurer of Churchill county, asking to be informed as to the disposition of the property found in the possession of the two men killed, the reply to which I also enclose.

The letters of Messrs. Armstrong, justice of the peace, and Goodell, county treasurer, contain all the information that I have been able to obtain in regard to the killing of José Aniceto Valdenebro and Simon Montoya.

I have the honor to be, very respectfully, your obedient servant,

JAMES W. NYE,
Governor of the State of Nevada.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

[Enclosure No. 2.]

LA PLATA, CHURCHILL COUNTY,
August 1, 1864.

SIR: In reply to your letter of the 3d ultimo, I have to say that, acting as coroner in and for this county, I held an inquest on the bodies of two persons deceased, on the 12th day of June, 1864, about five miles east of Sand Spring station, on the Reese river road.

As the result of that inquest, I herewith transmit a copy of the verdict of the jury. I found and took possession of property said to have been in their possession at the time of their death, as follows, to wit; one brown mule, branded U. S., and vented also with H. on right hip; one light brown mare mule, branded R. on left fore shoulder; one dark brown horse mule, about four years old, no brand; one dapple gray mare mule; all show harness marks, and shod with new draught shoes; one bay horse, three white legs and white face, branded S. on left hip; one half-breed horse, branded 22 on left fore shoulder, and branded thus 3-[on left hip; one half-breed horse, bay, no brand; two revolvers, six-shooters; two saddles; two bridles; three pair of leggins; two pair spurs; one halter; which I delivered to the treasurer of this county, according to law.

Very respectfully, your obedient servant,

WILLIAM E. ARMSTRONG, *J. P.*

[Enclosure No. 3.]

INQUEST.

We have received from a friend the verdict of a coroner's jury of Churchill county upon the bodies of two Mexicans, a report of whose killing we published one week ago to-day.

TERRITORY OF NEVADA, *County of Churchill, ss:*

Before William E. Armstrong, justice of the peace, acting coroner in the matter of the inquisition upon the bodies of the deceased persons, unknown.

We, the undersigned, the jurors summoned to appear before William E. Armstrong, acting as coroner in the county aforesaid, at a place on the road from Sand Spring station to Austin, and about four miles east of said station, on the 12th day of June, 1864, to inquire into the cause of the death of two persons found lying dead near said road at the place aforesaid, whose names are unknown, having been duly sworn according to law, and having such inquisition, after inspecting the bodies, and hearing the testimony adduced, upon our oaths, each and all do say, that we find said deceased persons' names unknown, and believe they were natives of Mexico; one aged about thirty-five years, about six feet in height, black curly hair, black whiskers and short moustache, the second joint of the second finger of the right hand crooked and stiff; dress, short corduroy jacket and gray pants; the other, aged about thirty-seven years, about five feet eight inches in height, straight black hair, a thin moustache; that both of said persons came to their death in said county of Churchill, on the 10th day of June, 1864, by means or reason of a gun or pistol shot wound; and we further find, that we believe Cranston Allen, James M. Coats, P. K. Jacoby, Joseph James, and Milton Irish, to be the persons by whose acts the death of said deceased persons was occasioned, under the following circumstances, to wit:

That said deceased persons were first seen by said Allen on the morning of the 10th day of June, 1864, about twenty-five miles west of Sand Spring station, of the travelled road, and in possession of four horses and four mules; that said Allen and Coats had had horses lost or stolen; that said Allen started in the direction of said mules and horses for the purpose of examination; that he was stopped by one of said deceased persons, who drew his pistol and told Allen that he should not examine the stock, and ordered him off; that said Allen then went to said Coats and informed him of the circumstances; that said Coats and Allen followed said persons as far as Sand Springs station; that said persons, deceased, did not travel the road in passing the stations on the road; that at Sand Springs station said Allen and Coats told the circumstances, and requested said James Irish and Jacoby to go with them to examine said mules and horses; that said parties started and overtook said persons, deceased, about five miles east of Sand Springs station; that on approaching them, one of said persons, deceased, drew his pistol and commenced firing at said Allen; that the other person, deceased, then drew his pistol, when the firing became general from both parties, in which both of said persons, deceased, received wounds which caused their immediate death, but who fired the fatal shots is unknown.

All of which we duly certify to by this inquisition, in writing, by us signed this 12th day of June, 1864.

P. C. SOVREIGN.
BENJ'N F. NICHOLSON.
JOHN EAVES.
JOHN DOLAN.
A. P. WATERMAN.
H. S. WOLFE.

LA PLATA, CHURCHILL COUNTY, *June* 14, 1864.

[Enclosure No. 4.]

LA PLATA, *August* 15, 1864.

DEAR SIR: Your letter, dated at Carson City, August 8, which came to hand to-day, has been delayed by mail, and I hasten to reply.

I received the property mentioned in your letter of the coroner, William E.

Armstrong, and would state, that the four mules and one horse have been recovered from my custody by the owners thereof, who identified the property, and testified that the same was stolen from them on the 8th day of June, 1864, between Washoe and Virginia City.

They testified that they were in search of said property when they saw the notice which I had inserted in the Virginia Union.

The persons who reclaimed the property reside at or near Washoe city; their names are, respectively, George W. Shaffer, Jacob Stuart, and J. Clow. I hold their vouchers for receipt of said property.

The balance of the property I sold at public auction, after advertising for one month—sale being on the 16th day of July, A. D. 1864—to defray expenses incurred thereon as the statute provides for.

The stock had been missed by the owners two days, when it was found in the possession of the two persons killed near Sand Station, being distant about one hundred miles from where the stock was stolen.

The coroner and sheriff were three days in finding the stock, after the inquest was over, as no one had taken charge of it after the affray took place, and consequently it had strayed forty miles from where the Mexicans were killed.

There was the sum of $6 70 left in hands of treasurer, after paying expenses from proceeds of sale.

The prosecuting attorney was in attendance on inquest, and I can get details of evidence from him if you wish it.

I remain yours to obey,

WALLACE GOODELL,
County Treasurer, Churchill County, Nevada Territory.

His Excellency JAMES W. NYE,
Governor Territory of Nevada.

No. 5.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,
Washington, 20th of June, 1865.

MR. SECRETARY: Immediately upon the receipt of the note which you were pleased to address to me, under date of the 28th of February last, in answer to my communications of the 8th and 28th of September previous, in reference to the violent death of the Mexican citizens José Aniceto Baldenebro and Simon Montoya, near La Plata, in the Territory of Nevada, enclosing me therewith the report of the governor of that Territory upon said event, I transmitted to my government a copy of your note referred to, and of the documents annexed thereto.

To-day I have the honor to communicate to you that I have received a note from Señor Lerdo de Tejada, the minister for foreign affairs of the Mexican republic, dated at the city of Chihuahua, on the 6th of May last past, of which I enclose a copy, in which the desire on the part of the Mexican government is expressed, that that of the United States may address itself to the authorities of Nevada, in order that they may explain several of the facts referred to in the report of Governor Nye respecting the inaccuracy of which there are very well-founded suspicions, as is shown in the note of Señor Lerdo de Tejada referred to.

I avail myself of this occasion to renew to you, Mr. Secretary, the assurances of my most distinguished consideration.

M. ROMERO.

Hon. WILLIAM H. SEWARD, *&c.*

[Translation.]

No. 179.] DEPARTMENT OF FOREIGN AFFAIRS AND GOVERNMENT,
National Palace, Chihuahua, May 6, 1865.

Through your note (No. 73) of the 28th of February of this year, with its accompaniments, the President of the republic has been informed of what the Hon. Mr. Seward communicated to you at that date while transmitting to you the report which he had received, that the Mexican citizens José Aniceto Valdenebro and Simon Montoya had stolen five mules, and that when certain American citizens approached to recognize them the first mentioned parties made opposition thereto and fired upon them, on which account the latter stated that they killed them in self-defence, at an uninhabited place near La Plata, in Churchill county, in the Territory of Nevada.

The circumstances attending the killing of the two Mexicans, without its appearing that not one of those who caused their death received any wound or injury; the grave fact that the latter, in lieu of recurring to the authorities, sought to do themselves justice by their own hands, in an uninhabited place; the possibility that, even though the mules had been stolen, they were not so stolen by the two Mexicans, but that they might have purchased them in good faith; and that, for that reason, they believed that those who were attempting to take them from them by force of arms, in a desert place, were some criminals; and, besides, the possibility that the murderers may not have made a true relation of all the facts, desiring thus to exculpate themselves from what may have been a grievous offence on their part, seem to be powerful reasons for not relying exclusively upon what the interested parties themselves have made known; but, on the contrary, that all the necessary judicial proceedings be instituted to the end that either the conduct of the murderers be fully justified, or that the punishment they may deserve be imposed upon them.

Be pleased to present these observations to that government, requesting it to address itself to the authorities of Nevada, to the end that the judicial proceedings indicated may be taken.

I protest to you my high consideration.

LERDO DE TEJADA.

The Citizen MATIAS ROMERO,
Envoy Extraordinary and Minister Plenipotentiary of the Mexican Republic in Washington.

A true copy:

F. D. MACIN,
Second Secretary of the Legation.

WASHINGTON, *June* 20, 1865.

No. 6.

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,
Washington, November 4, 1865.

SIR: I have had the honor to receive your note of the 20th of June, 1865, ogether with a copy of the despatch addressed to you by Señor Lerdo de Tcada, the minister for foreign affairs of Mexico, dated on the 6th of May last, in eference to the death, by violence, of two Mexican citizens, which occurred in June, 1864, in the Territory of Nevada, and which has already been the subect of some correspondence between the legation of Mexico and this department.

It was supposed that the explanations heretofore furnished you on this subject would have been satisfactory to the government of Mexico, but as it appears from the despatch of Señor Lerdo de Tejada that he thinks there may have been some discrepancies in the report of Governor Nye which require further elucidation, and which report was sent you by this department on the 28th of February, 1865, I shall transmit copies of your note, and of its enclosure, to the governor of the State of Nevada, calling at the same time his earnest attention to their contents, and shall communicate his reply to you so soon as received.

I have the honor to renew to you, sir, the assurance of my highest consideration.

WILLIAM H. SEWARD.

Señor MATIAS ROMERO, *&c., Washington, D. C.*

No. 7.

Mr. Seward to Mr. Blasdel.

DEPARTMENT OF STATE,
Washington, November 4, 1865.

SIR: I have the honor to transmit a translation of a note, under date of June 20, 1865, and of its enclosure of May 6, 1865, received from Señor Matias Romero, the minister of the Mexican republic, duly accredited to the United States, which have reference to the murder of two Mexican citizens in June, 1864, in the then Territory of Nevada. I enclose, also, a copy of my reply to Señor Romero of the 4th instant.

As the papers enclosed fully explain the nature of the case, it is only deemed necessary to call your earnest attention thereto, with the view to the adoption of the proper legal measures for the arrest and trial of the offenders, and for the punishment due to their crime, upon conviction.

I have the honor to be, sir, your obedient servant,

WILLIAM H. SEWARD.

His Excellency HENRY G. BLASDEL,
Governor of the State of Nevada, Carson City, Nevada.

No. 29.

EXPORTATION OF ARMS TO MEXICO BY THE FRONTIER.

List of papers.

No. 1. Mr. Romero to Mr. Seward, (with thre eenclosures) .. Nov. 14, 1865.
No. 2. Mr. Romero to Mr. Seward, (with nine enclosures) ... Nov. 18, 1865.
No. 3. Mr. Seward to Mr. Speed ..... Nov. 21, 1865.
No. 4. Mr. Speed to Mr. Seward ..... Dec. 23, 1865.
No. 5. Mr. Seward to Mr. Romero ..... Dec. 24, 1865.
No. 6. Mr. Romero to Mr. Seward ..... Dec. 28, 1865.
No. 7. Mr. Hunter to Mr. Stanton ..... Jan. 5, 1866.
No. 8. Mr. Romero to Mr. Hunter, (with two enclosures) .... Jan. 29, 1866.
No. 9. Mr. Seward to Mr. Romero ..... Mar. 12. 1866.
No. 10. Extracts of the President's message of ..... April 20, 1866.

Mr. Romero to Mr. Seward.

LEGATION OF MEXICO IN THE UNITED STATES OF AMERICA,
New York, November 14, 1865.

MR SECRETARY: I have the honor of transmitting a copy of a note from the consul of the Mexican republic in San Francisco, dated on the 17th of October last, which I received to-day with the annexed documents.

It appears from these that General McDowell, commanding the military department of California, issued a General Order, No. 17, on the 11th of last October, containing a declaration, in regard to the exportation of arms, that will certainly cause a violation of the neutrality the United States wishes to observe in the present war on Mexican territory. The order is contrary to the laws of this country, which allow the export of arms and munitions of war for billigerent nations, when the United States are neutral; and you sent me these laws in your communication of the 24th of November, 1862, in reply to mine of the same month, informing your department that several French officers had visited New York and New Orleans for the purpose of purchasing articles contraband of war for the French army invading Mexico. And, moreover, I have no doubt that these laws or declarations are the only ones now in force, as applicable to the exportation of arms from this country to Mexico, since the revocation of the order prohibiting the exportation of arms from the United States; for Mr. Hunter, in charge of the Department of State, told me so in the President's name, in his note of the 12th of May last.

Now, the instructions given by the Secretary of the Treasury, Mr. Hamilton, the 4th of August, 1793, of which you sent me a copy with your note before mentioned, authorize the *exportation* of those articles, and I understand *exportation* to mean sending out of the country, whether by land or sea. So, if any distinction is made in the interpretation of this law, to the injury of Mexico, I sincerely hope the government of the United States will remove it, so as to preserve the *bona fide* neutrality it intends to maintain in this war, of which the Mexican republic is now the stage.

As General McDowell did not deem it proper to revoke his order on the representations of the Mexican consul in San Francisco, I am compelled to appeal to your excellency, and ask you to forward to that general the necessary instructions for the preservation of the neutrality proclaimed by his government in the department consigned to his command.

This appeal to you is the more urgent, as the papers of to-day publish a telegram, apparently from good authority, asserting that the United States government will extend the effect of General McDowell's order, intended only for his department, along the entire frontier.

I cannot for a moment believe that this is true; and I hope you will enable me to give my goverument the necessary explanations to quiet apprehensions in this particular, and not shake the confidence it has in the honest intentions of the United States as a neutral.

I embrace this occasion of renewing to you, Mr. Secretary, the assurances of my distinguished consideration.

M. ROMERO.

Hon. WILLIAM H. SEWARD, *&c.*

[Enclosure No. 1.]

CONSULATE OF MEXICO IN SAN FRANCISCO,
San Francisco, October 17, 1865.

SIR: After calling twice at General McDowell's office, I had the good fortune to meet him yesterday.

I told him his order of the 11th instant, published with evidences of displeasure in the city papers, had atracted my attention; that the order disturbed

(violated) the strict neutrality proclaimed by the President of the United States between belligerent parties in Mexico, as it favored the French, now holding the Pacific ports.

General McDowell said, as he always has done, that he felt the profoundest sympathy for Mexico; that he wanted the republic to triumph in this struggle; but the neutrality laws compelled him to act in the manner he did. He said I might complain to his superior. I then told him I thought it best to apply to him first, before writing a note about the affair, and learn the reasons he had for issuing the order in question; and afterwards I would appeal to General Halleck, his superior, as he advised me.

In accordance with this understanding with General McDowell, who, during our interview, was most polite and courteous, I addressed him yesterday the note of which I send you a copy, and also a translation of the order referred to; and I now await his reply to forward it to you.

I protest my esteem and distinguished consideration.

JOSÉ A. GODOY, *Consul.*

Citizen MATIAS ROMERO,
Envoy Extraordinary and Minister
Plenipotentiary of Mexico in Washington.

A true copy:

IGNO. MARISCAL, *Secretary.*

NEW YORK, *November* 14, 1865.

[Enclosure No. 2.]

CONSULATE OF MEXICO IN SAN FRANCISCO,
San Francisco, October 16, 1865.

The undersigned, consul of the Mexican republic in this port, has the honor of calling the attention of General Irvin McDowell, commander-in-chief of the department of California, to his order of the 11th instant, published in the papers of this city. By that order the sending of arms and munitions of war into Mexico across the United States border is prohibited, in regard to the neutrality towards the belligerents in Mexico.

As the exportation of arms is now allowed by the government in Washington, that order seems to the undersigned to favor one of the parties—namely, the French; for, as the ports on the Pacific are held by the invader of Mexico, the constitutional government, the only one recognized by the United States, has no other way than the frontier, which is now closed. Thus, general, the strict neutrality, so often announced by the government at Washington, ceases; and the consequence is, the usurping party, which the brave people of this great republic are endeavoring to drive out, is favored.

The consul undersigned hopes General McDowell will please revoke his order of the 11th instant, in conformity with the declaration of the President of the United States, permitting the export of arms and munitions of war. This is what the undersigned told General McDowell in the interview to-day.

The undersigned assures General McDowell of his esteem and distinguished consideration.

JOSÉ A. GODOY.

General IRVIN MCDOWELL,
Commander-in-chief of the Department of California.

A true copy:

JOSÉ A. GODOY.

SAN FRANCISCO, *October* 16, 1865.

A true copy:

IGNO. MARISCAL, *Secretary.*

NEW YORK, *November* 14, 1865.

Enclosure No. 3.

CALIFORNIA NEUTRALITY IN MEXICAN AFFAIRS.—A SPECIMEN OF BRITISH NEUTRALITY ON THE PACIFIC.—THE UNITED STATES AUTHORITIES CONNIVING AT THE FURNISHING OF ARMS TO MAXIMILIAN.—THEY REFUSE TO ALLOW ANY TO PASS THE FRONTIER TO THE LIBERAL PARTY, &C.

[Our San Francisco correspondence.]

SAN FRANCISCO, *October* 13, 1865.

I have already informed you of some of the measures taken by the liberalists of Mexico to supply themselves with arms from San Francisco. It would seem that the proclamation of the withdrawal of the prohibition of the shipment of arms to other countries by the United States government was to be twisted, after all, so as to mean really nothing, the benefits being all given to the French, who are allowed to carry away what they please, while the Mexicans are, as usual, to have no chance to help themselves. The western coast being in the hands of the French, of course no more arms can be introduced by the Mexicans by water, and the overland route was the only one left them. The presence of Juarez at El Paso was favorable to their plan of introducing arms through Arizona, but it would seem that the commander of the department of California, to which the district of Arizona is attached, has arrived at the conclusion that it is his duty to interfere and negative the orders of the War Department, a course of action highly beneficial to the French and ruinous to the Mexicans. His order, which I have been permitted to copy from the official document, is as follows:

[General Orders No. 17.]

HEADQUARTERS DEPARTMENT OF CALIFORNIA,
San Francisco, California, October 11, 1865.

It is made the duty of the officers commanding the districts of Arizona and southern California—while keeping in view the recent orders allowing the exportation of arms and munitions of war—to instruct the commanders on the southern frontiers, within the department, to take the necessary measures to preserve the neutrality of the United States with respect to the parties engaged in the existing war in Mexico, and to suffer no armed parties to pass the frontier from the United States, *or suffer any arms or munitions of war to be sent over the frontier to either belligerent.* This is not to prevent individuals from passing with arms for their personal protection.

By command of Major General McDowell.

R. C. DRUM,
Assistant Adjutant General.

The words of the order are copied *verbatim*, the italics only being mine.

It will be seen at once that this order strikes directly at Juarez and *at no one else.* Maximilian can, of course, get all the supplies he wants by sea, and we have already had two of his ally's war steamers (the French frigate Victoire and armed steam transport Rhine) fitted up and furnished throughout with everything required for immediate service at the United States navy yard at Mare island.

No. 2.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,
New York, November 18, 1865.

MR. SECRETARY: Referring to the note which I had the honor to address you on the 14th instant, in relation to General McDowell's order of the 11th of October last, prohibiting the exportation of arms over the California frontier, contrary to the laws of this country, I now find occasion to remit to your department the copy of a note I have just received from the Mexican consul in San Francisco, with six accompanying documents, that your department may take them into consideration while arriving at a determination upon the subject, agreeably to the request contained in my note of the 14th instant.

I avail myself, with pleasure, of this occasion to tender to you, Mr. Secretary, the assurances of my most distinguished consideration.

M. ROMERO.

Hon. WILLIAM H. SEWARD, *&c., Washington, D. C.*

[Enclosure No. 1.]

MEXICAN CONSULATE IN SAN FRANCISCO,
San Francisco, October 20, 1865.

SIR: I have the honor of sending you copies of the notes, from 1 to 6, written to me by General McDowell, commander of the department of California, in answer to one from me, of which I sent you notice, and my last, informing him that I had notified my government and your legation.

From the documents I enclose you will perceive that the order of the President of the United States, prohibiting the exportation of arms and munitions of war has been disregarded by the subordinate authorities, to the incalculable injury of our cause.

Is it showing impartiality to belligerents when one is permitted to import all necessaries, by land or sea, and the other denied importations, even by land, the only way they can get them? The French, having possession of all the Mexican ports, can introduce arms, or whatever they please; we are denied the privilege of carrying arms across the frontier, to repel the invaders of our country.

As you are accredited to the government of the United States, you will act as you may deem it proper in this matter and to the greatest advantage to the holy cause which we defend.

Receive, sir, the assurances of my high consideration.

JOSÉ A. GODOY.

Citizen MATIAS ROMERO,
Envoy Extraordinary and Minister Plenipotentiary of Mexico in Washington.

A true copy:

IGNO. MARISCAL, *Secretary.*

NEW YORK, *November* 18, 1865.

[Enclosure No. 2.]

Consul Godoy to General McDowell.

MEXICAN CONSULATE AT SAN FRANCISCO,
San Francisco, October 16, 1865.

The undersigned, consul of the republic of Mexico at this port, has the honor to call the attention of General Irvin McDowell, military commander of the de-

partment of California, to the effect of the General Order issued by him on the 11th instant, which has been published in the city papers. The object of the order referred to is to prevent arms and munitions of war being sent through the United States frontier, in fulfilment, as it is expressed, of the duties of a neutral power towards the two parties that are now waging the war in Mexico.

As the government of Washington has permitted by official decree the exportation of arms, the undersigned begs to say that the order referred to, if carried out by General McDowell, must evidently work in favor of one of the two belligerents—that is to say, in favor of the French; for as the Mexican ports on the Pacific coast have been taken possession of by the latter, it closes the only channel through which the constitutional government of Mexico, the only one recognized by the United States, can now get arms.

Thus, general, the strict neutrality proclaimed by the government of Washington on different occasions ceases, and the usurping party, which the noble people of this great republic have no sympathy for, is directly favored.

The undersigned would suggest that General McDowell might withdraw his order of the 11th instant, if he thinks he could be justified in so doing, conforming to the decree of the President of the United States, which permits the exportation of arms and munitions of war.

At the interview he had with General McDowell the undersigned expressed the hope that his observations would be duly taken into consideration.

The undersigned protests to General McDowell the assurances of his most distinguished consideration.

JOSÉ A. GODOY.

General McDOWELL,
Commander Department of California, San Francisco.

A true copy:

JOSÉ A. GODOY.

SAN FRANCISCO, *October* 20, 1865.

A true copy:

IGNO. MARISCAL, *Secretary.*

NEW YORK, *November* 18, 1865.

[Enclosure No. 3.]

HEADQUARTERS DEPARTMENT OF CALIFORNIA,
San Francisco, California, October 18, 1865.

SIR: I have the honor to acknowledge the receipt of your note of yesterday, calling my attention to the effect of my General Order of the 11th instant with respect to the neutrality to be observed towards the two parties at war with each other in the republic of Mexico, and prohibiting the passage of arms and munitions of war across the frontier of the belligerents.

You conceive this order to be at variance with the orders from Washington, allowing the export of arms and munitions of war, and the effect of it to be advantageous to the French, for the reason that they have possession of all the ports, and the Mexicans have no other channel by which to obtain arms than over the frontier, which channel this order now closes to them.

It is undoubtedly true that the possession of the seaports gives the French great advantage in the war; but this is a misfortune for Mexico for which the United States are not responsible, and it certainly could not justify them in sanctioning the use of their territory and frontier for the benefit of the Mexican government in a contest in which they have declared themselves neutral.

As it may be inferred from the tenor of your letter that you suppose that, under the order permitting arms to be exported from the United States, they could be sent to the French at any of the Mexican ports now in their possession,

thus placing them on a more favored footing than the Mexicans, I beg to enclose you copies of my correspondence with the collector, by which you will see that it is not only by land that arms and munitions of war are not allowed to go to the seat of war, but by water as well; and that, so far as the United States authorities are concerned, the French in the seaports will be treated the same as the Mexicans on the frontier.

I regret deeply, Señor consul, that any official act of mine should be thought by you or any one to work harm to your country, for which I have so warm a sympathy, and it is with real pain that I have to say that I do not feel that I would be justified in withdrawing the order of which you complain.

I have the honor to be, Señor consul, with great respect, your most obedient servant,

IRVIN McDOWELL,
Major General, Commanding Department.

Señor J. A. GODOY,
Mexican Consul, San Francisco, California.

A true copy:

JOSÉ A. GODOY.

SAN FRANCISCO, *October* 20, 1865.

A true copy:

IGNO. MARISCAL, *Secretary.*

NEW YORK, *November* 18, 1865.

[Enclosure No. 4.]

HEADQUARTERS DEPARTMENT OF CALIFORNIA,
San Francisco, October 17, 1865.

SIR: I beg to ask if you would consider it your duty, under existing instructions, to permit arms and munitions of war to leave this port for a port of the republic of Mexico, such port being in the possession of the French forces, and you knowing that the arms and munitions of war were for the use of those forces in the existing war with Mexico, the United States being at peace with both belligerents?

Would you please let me know what has been your official action with respect to the neutrality of the United States in the existing war of the French against Mexico?

I have the honor to be, very respectfully, your most obedient servant,

IRVIN McDOWELL,
Major General, Commanding Department.

CHARLES JAMES, Esq.,
Collector of the Port of San Francisco, California.

A true copy:

JOSÉ A. GODOY.

SAN FRANCISCO, *October* 20, 1865.

A true copy:

IGNO. MARISCAL, *Secretary.*

NEW YORK, *November* 18, 1865.

[Enclosure No. 5.]

CUSTOM HOUSE, SAN FRANCISCO,
Collector's Office, October 17, 1865.

GENERAL: In the case put in your note of this date, in respect to the shipment of arms and munitions of war to Mexico, I should refuse clearance, and submit the case to the Secretary of the Treasury.

I enclose copies of two orders, dated respectively the 15th and 26th ultimo, which indicate the policy which I have deemed it my duty to pursue in respect to the subject of your inquiries.

With great respect, your most obedient servant,

CHARLES JAMES, *Collector.*

IRVIN MCDOWELL,
Major General, Commanding Department.

A true copy:

IGNO. MARISCAL, *Secretary.*

WASHINGTON, *November* 18, 1865.

A true copy:

JOSÉ A. GODOY.

SAN FRANCISCO, *October* 20, 1865.

A true copy:

IGNO. MARISCAL, *Secretary.*

NEW YORK, *November* 18, 1865.

[Enclosure No. 6.]

CUSTOM HOUSE, SAN FRANCISCO,
Collector's Office, September 15, 1865.

SIR: I have information that a vessel will leave this port to-night with arms and munitions of war, in violation of the act of Congress of April 20, 1818. The vessel is described as a small coaster—name not reported. You will take an advantageous position, and bring to and search any suspected vessel, and if you find any arms and munitions of war on board detain her and report.

Respectfully,

CHARLES JAMES, *Collector.*

Lieutenant H. H. ANDREWS,
Commanding Revenue Cutter Shubrick.

A true copy:

JOSÉ A. GODOY.

SAN FRANCISCO, *October* 20, 1865.

A true copy:

IGNO. MARISCAL, *Secretary.*

NEW YORK, *November* 18, 1865.

[Enclosure No. 7.]

CUSTOM HOUSE, SAN FRANCISCO,
COLLECTOR'S OFFICE, *September* 26, 1865.

SIR: You will be vigilant and see that no warlike expedition or vessels laden with arms and munitions of war leave this port in violation of the neutrality law.

Respectfully,

CHARLES JAMES, *Collector.*

Lieutenant G. W. MOORE,
Commanding Revenue Cutter J. Lane.

A true copy:

J. A. GODOY.

SAN FRANCISCO, *October* 20, 1865.

A true copy:

IGNO. MARISCAL, *Secretary*

NEW YORK, *November* 18, 1865.

[Enclosure No. 8.—Translation.]

MEXICAN CONSULATE IN SAN FRANCISCO,
San Francisco, October 19, 1865.

The undersigned, consul of the Mexican republic in this port, has the honor of acknowledging the receipt of General Irvin McDowell's note of yesterday, with the accompanying documents.

He thinks proper to lay his correspondence with the commanding general of the department of California before his government and the minister plenipotentiary of Mexico in Washington, that both may know how to act in the case.

Before closing this note, the undersigned believes it his duty to inform General McDowell that he has never doubted for a moment his sympathy for the republic of Mexico, and for which he is thankful, as he told him at the interview on the 16th instant. The request for the repeal of the order of the 11th of this month was made because he believed it prejudicial to the national cause in Mexico.

The undersigned protests to General Irvin McDowell the assurances of his distinguished consideration.

JOSÉ A. GODOY.

General IRVIN MCDOWELL,
Commander of the department of California, in San Francisco.

A true copy:

JOSÈ A. GODOY.

SAN FRANCISCO, *October* 20, 1865.

A true copy:

IGNO. MARISCAL, *Secretary.*

NEW YORK, *November* 18, 1865.

[Enclosure No. 9.]

[From the New York Herald of November 16, 1865.]

SAN FRANCISCO, *October* 21, 1865.

The outrageous order issued by General McDowell, cutting off the last hope of the Mexican liberals for obtaining arms from this side of the continent, a copy of which I sent you last week, has called out a correspondence between Consul Godoy and General McDowell, copies and translations of which I enclose. What adds to the hardship of the case, although it does not appear on the face of the documents, is the fact that the arms which were to leave by the schooner referred to by Collector James were intended to be landed at a point on the lower coast not occupied by the French, and were for Mexican use, as the collector knew, so that his seeming impartiality is verily all on one side. You will see from the reading of this correspondence that the removal of the restriction on the exportation of arms has been practically nullified by the War Department as represented on this coast.

No. 3.

Mr. Seward to Mr. Speed.

DEPARTMENT OF STATE,
Washington, November 21, 1865.

SIR: I have the honor to submit for your consideration two notes, received from Señor Matias Romero, the minister of the Mexican republic, dated November the 14th and 18th instant, with their accompaniments, relative to the

Order No. 17, October 11, 1865, issued by Major General Irvin McDowell, commanding the military department of California, prohibiting the exportation of arms or munitions of war, by the frontier, into Mexico.

I will thank you, as soon as practicable, for your opinion as to whether the order No. 17, above referred to, is in conformity with any laws, regulations, or Orders now in force, bearing upon the subject.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Hon. JAMES SPEED,
Attorney General.

No. 4.

Mr. Speed to Mr. Seward.

ATTORNEY GENERAL'S OFFICE,
December 23, 1865.

SIR: I must ask pardon for my delay, occasioned by pressing engagements in court, in making reply to your letter of the 21st ultimo, enclosing for my consideration two notes received by your department from the minister of the Mexican republic, with their accompaniments, relative to an order, of date October 11, 1865, issued by General McDowell, commanding the military department of California, prohibiting the exportation of arms or munitions of war by the frontier into Mexico. The question asked by you is, whether, in my opinion, this order is in conformity with any laws, regulations, or orders, in force, bearing on the subject.

No military officer has the right, in this country, to issue any order to which he cannot lawfully compel obedience by the forces under his command. The test, therefore, of the validity, in point of law, of this order of General McDowell, is, whether he could lawfully employ the military forces subject to his control to prevent American citizens, and other persons within our jurisdiction, from transporting arms and munitions of war, as merchandise, across the frontier into Mexico, in the present state of the affairs of that country.

The answer to be given to this question depends upon the character of the acts against which the order is directed—whether they are lawful or unlawful; and, if unlawful, whether the military authority can take cognizance of them and prevent or restrain their commission.

Some offences are cognizable exclusively by civil authority; others may lawfully be restrained or prevented by military power.

Counterfeiting the current coin of the United States is made criminal by statute, but the law leaves the offence to be dealt with by the civil authority of the United States. By the statute of 1818, the setting on foot any military expedition within the jurisdiction of the United States, against the territory of a foreign state with whom the United States are at peace, is a high misdemeanor, but the statute expressly authorizes the President to employ the army and navy to prevent the carrying on of any such expedition from our territory.

It is plain that if it should be determined that it is not unlawful for American citizens, neutral people in the war now being waged on Mexican territory, to export articles contraband of war, by way of merchandise, to either of the belligerents, the inquiry as to the jurisdiction of the military authorities over the subject need not be pursued.

In that event any attempt on the part of those authorities to enforce obedience to rules or regulations of their own in regard to that subject would be clearly a usurpation of power.

Now, I apprehend it to be well settled that "neutrals may lawfully sell at home to a belligerent purchaser, or carry themselves to the belligerent powers, contraband articles, subject to the right of seizure *in transitu*. The right of the neutral to transport, and of the hostile power to seize, are conflicting rights, and neither party can charge the other with criminal act." (Kent's Com., p. 142.) I state the doctrine in the words of Chancellor Kent, "of whose writings it may be safely said," a late English author has remarked, "that they are never wrong."

In the case of the Santissima Trinidad, Mr. Justice Story, in delivering the opinion of the court, said: "There is nothing in our laws, or in the law of nations, that forbids our citizens from sending armed vessels, as well as munitions of war, to foreign ports for sale. It is a commercial adventure which no nation is bound to prohibit, and which only exposes the persons engaged in it to the penalty of confiscation." (7 Wheaton, 340.)

Without entering into an extended exposition of the law on this subject, I am of opinion that if the order of General McDowell was intended to interfere with such trade, conducted by our people, as the authorities to which I have referred have declared to be lawful, the order is not "in conformity with any laws bearing upon the subject."

I observe that a portion of the order to which my attention has been called was probably intended to be directed against military expeditions or armed enterprises carried on from this country against the belligerents contending in Mexico. Such expeditions and enterprises are, of course, violations of our statutes; and nothing in this opinion is intended to impugn the validity of the order in respect to them.

I have the honor to be, with the greatest respect,

JAMES SPEED,
Attorney General.

Hon. WILLIAM H. SEWARD,
Secretary of State.

No. 5.

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,
Washington, December 24, 1865.

SIR: I have had the honor to receive your communications of the 14th and 18th of November last, with their respective accompaniments, which have reference to the order issued by Major General McDowell, commanding the military department of California, No. 17, under date of the 11th of October, 1865, prohibiting the exportation of arms or munitions of war into Mexico by the frontier.

Having submitted the subject to the Attorney General of the United States for his opinion on the 21st of November last, I have now the honor to transmit to you a copy of said opinion rendered on the 23d instant, and likewise to inform you that it will be officially communicated to the honorable the Secretary of War with the request to give such instructions to Major General McDowell as shall conform to the decision of the Attorney General in the premises.

I avail myself of the occasion to reiterate to you, sir, the assurances of my highest consideration.

WILLIAM H. SEWARD.

Señor MATIAS ROMERO, *&c., Washington, D. C.*

No. 6.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,
Washington, 28th of December, 1865.

MR. SECRETARY: I have had the honor to receive the note which you were pleased to address to me under date of the 24th instant, transmitting the opinion of the Attorney General of the United States in relation to the order, No. 17, issued at San Francisco, by General McDowell, on the 11th of October last, prohibiting the exportation of arms and articles contraband of war over the southern frontier lines of California and Arizona, and to which subject I alluded in the notes which I had the honor to address to your department on the 14th and 18th of November last past.

I have seen with much satisfaction that the Attorney General of the United States has given it as his opinion that, "if the order of General McDowell was intended to prevent the trade of arms and munitions of war by the frontier," which was the cause of my remonstrance against it, and the only point the revocation of which I solicited, "such order is not in conformity with the laws of the United States bearing upon the subject."

This opinion seems to me to be just and well founded, and I have no doubt that, upon receiving it, General McDowell will revoke his order referred to, should he not previously have done so under the instructions communicated to him by the Lieutenant General of the army of the United States, Ulysses S. Grant, who, I understand, revoked it the moment he heard of it. I this day send a copy thereof to my government, and also of the note with which you transmitted it to me.

I avail myself of this opportunity to renew to you, Mr. Secretary, the assurances of my most distinguished consideration.

M. ROMERO.

Hon. WILLIAM H. SEWARD, *&c.*

No. 7.

Mr. Hunter to Mr. Stanton.

DEPARTMENT OF STATE,
Washington, January 5, 1866.

SIR: I have the honor to transmit to you a copy of an opinion given by the Attorney General of the United States on the 23d ultimo, in reply to a communication which I addressed to him on the 21st of November in consequence of a remonstrance having been made by Señor Romero, the minister of the Mexican republic, against the order of October 11, 1865, issued by Major General McDowell, commanding the military department of California, prohibiting the exportation of arms or munitions of war by the frontier into Mexico.

This opinion is submitted for your consideration, and with the view of your giving such instructions to Major General McDowell as may be necessary in the premises.

I have the honor to be, sir, your obedient servant,

W. HUNTER,
Acting Secretary of State.

Hon. EDWIN M. STANTON,
Secretary of War.

No. 8.

Mr. Romero to Mr. Hunter.

[Translation.]

MEXICAN LEGATION TO THE UNITED STATES OF AMERICA.
Washington, 29th of January, 1866.

MR. ACTING SECRETARY: Referring to my notes of the 14th and 18th of November and the 28th of December last, to your department, concerning the order issued by General McDowell on the 11th of October previous, prohibiting the exportation of arms over the southwestern border of the United States, I now have the honor to transmit to you the copy of a note on this same subject, which I received yesterday from Mr. Lerdo de Tejada, minister of foreign relations of the Mexican republic, dated at El Paso del Norte, the 23d of December last, with a copy annexed, expressing the views of the Mexican government on the same subject.

Although the discussion caused by that order has been satisfactorily settled by the revocation of the same, I think proper to send you, for the information of the government of the United States, a copy of these documents for the purpose of making the opinions of my government known on that subject.

I take this occasion to renew, sir, the assurance of my distinguished consideration.

M. ROMERO.

Hon. WILLIAM HUNTER, *&c.*

[Enclosure No. 1.]

DEPARTMENT OF FOREIGN RELATIONS AND GOVERNMENT—AMERICAN SECTION.
NO. 413.

PASO DEL NORTE, *December* 23, 1866.

I send you the copy of a note which I address to-day to the consul of the republic in San Francisco, Upper California, in relation to the order of the 11th of October previous, published in the papers of that city, issued by General I. McDowell, commander of the department of California, prohibiting the passage of armed forces, and arms and munitions, to either of the belligerents, over the Arizona border, or through Lower California, in Mexico.

For fear that you may not have received the consul's communications on the subject, I send you this copy to use as you please, to the greatest advantage.

Accept my attentive consideration

LERDO DE TEJADA.

Citizen MATIAS ROMERO,
Envoy Extraordinary and Minister Plenipotentiary of the Mexican Republic in Washington.

A true copy:

IGNACIO MARISCAL, *Secretary.*

WASHINGTON, *January* 29, 1866.

[Enclosure No. 2.]

DEPARTMENT OF FOREIGN RELATIONS AND GOVERNMENT—OFFICE OF RELATIONS, AMERICAN SECTION—NO 67.

PASO DEL NORTE, *December* 23, 1865.

Prohibition to export arms from the United States across the Arizona and southern California border into Mexico.

I have received the duplicate of your note of the 20th October last, with the eight enclosed copies, relating to the order issued by General I. McDowell, commander of the department of California, on the 11th of October, forbidding to send arms and munitions of war, over the Arizona and California border, to either of the belligerents in Mexico.

You have sent me copies of the correspondence on the subject between you and General McDowell, who said he thought he was not authorized to revoke or modify that order.

It seems that the laws of the United States on neutrality prohibit the organization of armed expeditions within their borders for other countries, but do not forbid the free trade in arms and ammunition, or any other articles called contraband of war.

It seems, also, that the order of President Johnson repealing the laws that prohibited the export of arms and ammunition was issued on account of the civil war in the United States, and not because it was considered as a duty of neutrality, for the laws do not oppose the free trade in articles of war. If this is so, General McDowell's order would conform to the laws of the United States, so far as the prohibition of the passage of armed forces over the border was concerned; but it would not agree with President Johnson's order, which does not prohibit the crossing of arms and ammunition.

Moreover, neutrality would also comprehend arms and ammunition, military transports, the repair of vessels and naval transports of war, or any other articles or goods to be used as means of making war.

The application of these principles of neutrality in the United States, prohibiting the exportation of arms and ammunition not needed by the French, but much needed by the republicans in Mexico, has been very injurious to the republican cause in Mexico; but these same principles of neutrality have not been applied to war transports and repair of all kinds of vessels in the United States, needed by the French but not wanted by the republicans of Mexico.

The citizen President is pleased with your conduct in this affair, and I have only made these observations that you may communicate them privately and confidentially to General McDowell, if you think proper under the circumstances; but as you have communicated the affair to the citizen minister plenipotentiary in Washington, he will settle it in the most proper manner with that government.

I assure you of my attentive consideration.

LERDO DE TEJADA.

Citizen JOSÉ M. GODOY,
Consul of the Mexican Republic
in San Francisco, Upper California.

A true copy:

JUAN VALDES,
First Officer.

PASO DEL NORTE, *December* 23, 1865.

A true copy:

IGNACIO MARISCAL, *Secretary.*

WASHINGTON, *January* 29, 1866.

No. 9.

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,
Washington, March 12, 1866.

SIR: I have the honor to acknowledge the receipt of your note of January 29 last, transmitting to this department a copy of the despatch of Señor Lerdo de Tejada, the minister for foreign affairs of the Mexican republic, of December 23, addressed to yourself, and also a copy of his letter to José M. Godoy, the consul of the Mexican republic at San Francisco, of the same date, relative to the order issued by General McDowell on the 10th of October previous, prohibiting the exportation of arms by the southern frontier of the United States, which documents you communicate for the purpose of making known the opinions of your government on that subject.

I avail myself of this occasion to renew to you, sir, the assurances of my very distinguished consideration.

WILLIAM H. SEWARD.

Señor MATIAS ROMERO, &c., *Washington, D. C.*

No. 10.

Extracts from a message of the President of the United States, communicating, in compliance with a resolution of the Senate of January 8, 1866, *correspondence respecting General Order No.* 17, *issued by the commander of the department of California, prohibiting the exportation of arms or munitions of war over the frontier.*

To the Senate of the United States:

In compliance with the Senate's resolution of the 8th January, 1866, I transmit herewith a communication from the Secretary of War, of the 19th instant, covering copies of the correspondence respecting General Order No. 17, issued by the commander of the department of California, and also the Attorney General's opinion as to the question whether the order involves a breach of neutrality towards Mexico.

ANDREW JOHNSON.

WASHINGTON, *April* 20, 1866.

WAR DEPARTMENT,
Washington City, April 19, 1866.

MR. PRESIDENT: In compliance with that part of the Senate's resolution of January 8, 1866, referred by you to this department, requesting the President to communicate the correspondence in regard to General Order No. 17, issued by the commander of the department of California, forbidding the exportation of arms or munitions of war over the frontier, I have the honor to send herewith copies of such correspondence; also as to the inquiry in the resolution whether the discrimination is a breach of neutrality towards Mexico, I transmit the Attorney General's opinion, received from the Secretary of State.

The General Order No. 17 has been rescinded.

Very respectfully, your obedient servant,

EDWIN M. STANTON,
Secretary of War.

The PRESIDENT.

HEADQUARTERS DEPARTMENT OF CALIFORNIA,
San Francisco, Cal., October 24, 1865.

SIR : I have the honor to forward herewith copies of letters to and from these headquarters concerning the neutrality of the United States in the existing war between France and Mexico.

1st. A letter from Mr. Cazotte, French consul, from San Francisco, dated August 10, 1865. This letter and the telegram (No. 2 below) were submitted to the United States district attorney before the latter was issued.

2d. Copy of my telegram to General Mason, commanding in Arizona, dated August 15, 1865.

3d. Copy of my letter to the French consul, August 16, 1865.

4th. A letter dated September 2, received September 11, 1865, from Captain William A. Winder, third United States artillery, commanding at San Diego, California.

5th. Copy of my General Order No. 17, of October 11, 1865. This order was issued after a personal interview sought with me by the French consul, in which he represented he had positive information the arms were on the road to Fort Yuma, having been safely landed at Wilmington and San Diego. His statements were confirmed by Captain Winder's letter (No. 4, above,) and the facts are virtually admitted by the Mexican consul in his letter of October 16, 1865.

6th. Copy of my letter to General Mason, of October 11, 1865.

7th. Letter to me from Don José A. Godoy, dated October 16, 1865.

8th. Copy of my letter to Don José A. Godoy, of October 18, 1865, with four enclosures; being, first, copy of note to the collector of the port, dated October 17, 1865, (marked A;) second, the collector's answer, (marked B,) with copies of his two orders to the revenue cutter, (marked C and D.)

9th. Letter to me from Don José A. Godoy, of October 18, 1865.

10th. Letter to me from Mr. Charles de Cazotte, French consul, dated October 21, 1865; and

11th. A copy of my letter to Mr. Charles de Cazotte, dated October 23, 1865.

The correspondence which was published was not published by me, or with my knowledge or consent.

I have the honor to be, very respectfully, your most obedient servant,

IRVIN McDOWELL,
Major General, Commanding Department.

Lieut. Colonel R. N. SCOTT, A. A. G.,
Headquarters Division of the Pacific, San Francisco, California.

[Translation.]

CONSULATE OF FRANCE,
San Francisco, August 10, 1865.

GENERAL : I have learned from certain sources, and also through the newspapers, that an American schooner, the Owens, which left San Francisco clandestinely toward the middle of the last month, had unloaded at San Pedro and at San Diego arms destined for Mexico, to the partisans of Juarez. This armament, of which thirty-two chests of muskets were put ashore at San Pedro and the rest at San Diego, was accompanied by three Mexican officers—Captain José Maria Herrera, Lieutenants Modesto Medina and Francisco Rivera, lately prisoners in France, and who owe their liberty to the generosity of the Emperor.

I will be much obliged to you, general, if you will be pleased to give the necessary orders to stop in the two above-mentioned ports, if there is as yet time,

an armament sent forth in contravention of the principles of neutrality which our two countries, in their amicable relations, have always observed.

I profit by this occasion to renew to you, general, the assurances of my very high consideration.

CHAS. DE CAZOTTE,
Consul of France.

Our letter from San Diego.

[From the resident correspondent of the Alta Californian.]

Arms for Mexico.—A small invoice of arms, &c., for Mexico, was discharged from a schooner from your city here last week. It is reported that they are to be transported from here overland to Hermosilio, Sonora. By the same schooner came three Mexican officers, one captain and two lieutenants, as passengers. These officers were taken prisoners by the French at Puebla in 1862 or 1863, and were sent from there to France, where they have been under surveillance as prisoners of war until recently. They have returned without any restrictions whatever. Before they left Vera Cruz, and while in France, they were offered the privilege of being returned many times if they would swear allegiance to Maximilian. This they steadily refused to do, and in consequence thereof are now free, and, I understand, are ready to fight for the country again.

HEADQUARTERS DEPARTMENT OF CALIFORNIA,
San Francisco, August 15, 1865.

Send the following telegram by express to General Mason, commanding Arizona: "See that our neutrality is preserved in the war now existing between France and Mexico, and suffer no organized armed bodies of men, military arms, and munitions of war to pass the frontier in your charge to either belligerent."

This, of course, not to be construed as prohibiting individuals from bearing arms for their personal protection.

By order:

R. C. DRUM,
Assistant Adjutant General.

Colonel JAMES F. CURTIS,
Drum Barracks, via Los Angelos.

Official:

R. C. DRUM, *A. A. G.*

HEADQUARTERS DEPARTMENT OF CALIFORNIA,
San Francisco, August 16, 1865.

SIR: I have the honor to acknowledge the receipt of your letter of the 10th instant, stating that you are informed from unquestionable authority that arms, destined to be sent to Mexico to be used against the French, have been disembarked at San Pedro and San Diego, accompanied by certain Mexican officers, and calling on me to stop the transit of these arms if it is yet time.

In reply, I have to inform you that orders will be given immediately to General Mason, commanding in Arizona, to see that our neutrality is maintained,

and that no armed parties and no arms be allowed to pass into Mexico across the frontiers under his charge. This, of course, not to be construed as prohibiting individuals from bearing arms for their personal protection.

Very respectfully, your obedient servant,

IRVIN McDOWELL,
Major General, Commanding Department.

Monsieur CHARLES DE CAZOTTE,
French Consul, San Francisco, California.

Official:

R. C. DRUM, *A. A. G.*

NEW SAN DIEGO, CALIFORNIA,
September 2, 1865.

COLONEL: There appears to be an armed expedition fitted out here for some purpose. As the persons who have charge of the arms are Mexicans, I presume they are intended for Mexico.

It appears that a lot of arms were landed at the Plaza some weeks since, and there are now a party of Mexican officers in the town, two of whom arrived yesterday. I would respectfully ask for instructions by telegraph.

I am, sir, very respectfully, your obedient servant,

WILLIAM A. WINDER,
Captain 3d Artillery, Commanding.

Lieutenant Colonel R. C. DRUM,
Assistant Adjutant General, Department of the Pacific.

[General Orders No. 17.]

HEADQUARTERS DEPARTMENT OF CALIFORNIA,
San Francisco, Cal., October 11, 1865.

It is made the duty of the officers commanding the districts of Arizona and southern California, while keeping in view the recent orders allowing the exportation of arms and munitions of war, to instruct the commanders on the southern frontiers, within this department, to take the necessary measures to preserve the neutrality of the United States with respect to the parties engaged in the existing war in Mexico, and to suffer no armed parties to pass the frontier from the United States, nor suffer any arms or munitions of war to be sent over the frontier to either belligerent. This not to prevent individuals from passing with arms for their personal protection.

By command of Major General McDowell.

R. C. DRUM,
Assistant Adjutant General.

Official:

R. C. DRUM, *A. A. G.*

[Extract.]

HEADQUARTERS DEPARTMENT OF CALIFORNIA,
San Francisco, Cal., October 11, 1865.

SIR: General Order No. 17, concerning the preservation of our neutrality, goes to you by this mail. The French consul, Mr. de Cazotte, complains, and reports from the district of southern California indicate, that quantities of arms in the hands of Mexican officers have been landed at San Diego and Wilming-

ton. It is reported they are to be sent across the frontier into Lower California and Arizona. The General Orders above named were issued to cover the case.

Very respectfully, your obedient servant,

R. C. DRUM, *A. A. G.*

Brigadier General JOHN S. MASON,
U. S. Volunteers, Commanding District of Arizona.

Official:

R. C. DRUM, *A. A. G.*

[Translation.]

CONSULATE OF FRANCE IN SAN FRANCISCO,
San Francisco, October 21, 1865.

GENERAL: One of the principal newspapers of this city has published to-day an exchange of official communications between yourself and Mr. José A. Godoy, Mexican consul. Among the papers accompanying these notes appears a letter dated the 17th instant, addressed by you to Colonel James, collector of customs, in which you ask him if, in view of existing instructions, he would believe himself authorized to permit the departure from this port of arms or munitions of war destined for a port of Mexico in possession of the French forces, knowing that these arms and munitions would be made use of by those troops under present circumstances. From this exhibit it might be supposed, general, that shipments of arms and munitions have been made or are preparing here for the French troops to points which they occupy in Mexico. I can in all confidence give you the assurance that no operation of this kind has been attempted, and at present there is no such design entertained. I know too well my duties and the respect which I owe in a neutral country to international agreements to tolerate, if the occasion would have presented itself, such an infraction of the principles admitted by international law.

Consecrating all my efforts to the asking of the federal authorities in this my place of residence, to prevent the departure of the arms of which Mr. Godoy and General Vega solicit openly may be permitted to go out, it would not comport with my character to favor, for the imperial cause, undertakings of the nature of those which I signalize on the part of the agents of Don Benito Juarez as contrary to neutrality.

The two orders of the 15th and 26th of September last, appearing among the annexed communications above mentioned, and emanating from the collector of customs, addressed to Messrs. H. H. Andrews and G. W. Moore, commanding the revenue cutters Shubrick and J. Lane, were given after an interview which I had the honor of having with Colonel James to bring to his knowledge the clandestine embarcation of arms and munitions which was going on in the bay for Mexico, for the chiefs of the dissidents, to whom I leave as for the rest the responsibility of the acts which they commit in contravention of the laws of the country.

Without attaching the least importance to the expressions of warm sympathy which Mr. Consul Godoy appears to attribute to you, in his letter of the 19th of October, for the cause which he represents, your character, so honorable in every respect, is, for me, the best guarantee of your desire to have observed here the perfect neutrality which the ancient relations of friendship between France and the United States permit us to look for.

I profit by this occasion, general, to beg you to be pleased to accept new assurances of my high consideration.

CAZOTTE,
Consul of France.

HEADQUARTERS DEPARTMENT OF CALIFORNIA,
San Francisco, Cal., October 23, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 21st instant, referring to my letter of the 17th instant to Señor Godoy, published in one of the San Francisco papers.

You state it may be inferred from my letter that arms and munitions of war have been, or are intended to be, sent to the French troops in Mexico from this port; and you assure me this has never been attempted and is not contemplated.

I beg to say that I have not intimated in the letter in question either that such a thing had been done or was to be done.

In it I asked the collector what his course would be in a *supposed* case—this with reference to the statements and arguments of Mr. Godoy.

I know of no instance where arms have been sent, or where it has been attempted to send them, to the French troops in Mexico from this place, and I have no doubt whatever of your assurances in the matter.

You do me but simple justice in bearing witness to the good faith in which I have, as far as has been in my power, enforced a strict neutrality in respect to the existing war in Mexico, for to no one is the fact better known than to yourself.

I have the honor to be, Monsieur le Consul, with great respect, your most obedient servant,

IRVIN McDOWELL,
Major General, Commanding Department.

Monsieur CHARLES DE CAZOTTE,
French Consul at San Francisco, California.

No. 30.

THE MEXICAN EXPRESS COMPANY.

List of papers.

No. 1.	Mr. Romero to Mr. Seward, (with eight enclosures)..	Oct. 27, 1865.
No. 2.	Mr. Romero to Mr. Seward, (with one enclosure)....	Oct. 31, 1865.
No. 3.	Mr. Seward to Mr. Romero.....	Nov. 1, 1865.
No. 4.	Lieut. General Grant to Mr. Seward, (with three enclosures).....	Nov. 1, 1865.
No. 5.	Mr. Seward to Lieutenant General Grant	Nov. 1, 1865.
No. 6.	Mr. Seward to Mr. Dickinson.....	Nov. 1, 1865.
No. 7.	The Secretary of State to Mr. C. A. Seward	Nov. 1, 1865.
No. 8.	Mr. Romero to Mr. Hunter, (with two enclosures) ...	Jan. 21, 1866.
No. 9.	Mr. Romero to Mr. Hunter, (with two enclosures)...	Jan. 28, 1866.
No. 10.	Mr. Seward to Mr. Romero.....	Jan. 31, 1866.

No. 1.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,
Washington, 27th of October, 1865.

MR. SECRETARY: It having come to my notice that the adventurer called Don Fernando Maximilian, of Hapsburg, who was Archduke of Austria, and who now pretends to exercise public authority in Mexico by right of conquest,

has granted some so-called privileges to persons of this country, or who have come to it, to form here companies for the purpose of carrying them into effect, and that these persons assert, to gain buyers of shares, that the said privileges have been or will be sanctioned by the constitutional President of the Mexican republic, for which they have not the slightest foundation, it seemed proper to me, for the purpose of protecting the citizens of this country, who in good faith, and under that mistaken impression, might desire to take shares in such speculations, to recommend that the consul-general of Mexico in the United States, resident in New York, should make known to the public that it was not certain that the constitutional government of Mexico was disposed to sanction these grants, and sending to him the laws of the Mexican congress and the dispositions of the executive which declare null and void the acts of the invader. I have the honor to enclose to you a copy, in English, of the note which, for this purpose, I addressed, under date of 18th current, to the consul of the Mexican republic at New York, accompanied by the dispositions which are quoted in it, (No. 1.) That functionary caused those dispositions to be published in the New York papers of the 23d instant, with the letter, of which I also enclose copy, in English, (No. 2.) On the same 23d day Mr. E. de Courcillon, titular president of the Mexican Express Company, formed in virtue of one of the spurious grants of the usurper, addressed to me the letter, of which I also enclose copy, (No. 3,) sending me a copy of that which, on the same date, he addressed to the New York press, (No. 4,) and another of the prospectus of his company, (No. 5.) I also send these two documents. To said letter I replied, on the 24th, in the terms you will see in the copy of my reply, which I also enclose, (No. 6.) The Mexican consul at New York replied, at the same date, to Mr. de Courcillon in the manner which appears in the copy annexed of his letter to the Herald of that city, (No. 7.)

I believe it to be my duty also to communicate to you, for the information of the government of the United States, the facts and documents to which I have made reference, to call your attention to an important point, which may affect not only the good relations which happily exist between the government of the Mexican republic and the United States, but even the duties which belong to this government as a neutral in respect to Mexico.

In my letter to Mr. de Courcillon, (No. 6,) in that of the consul of Mexico to the Herald at New York, (No. 7,) and in the memorandum which I transmit of the concession, so-called, of the usurper, (No. 8,) you will see that the company engages to transport all material of warfare of the invading army of Mexico. The reading of the prospectus of the company (No. 5) demonstrates this more plainly. Of the five agents the company has, there is one only in Europe, and he resides at St. Nazaire, which, as you know, is that port of France from which issues the material for war which the Emperor of the French sends to his forces in Mexico, and for which the French government has established a line of steamers between said port and Vera Cruz. Of the other four agents of the company, one resides at Vera Cruz, and the other at the city of Mexico, which are the stations held to prepare forcibly the material of war destined for the conquest of Mexico.

In article 7 of the so-called concession of the usurper (No. 8) you will see also that the agents of the company in Mexico, as well as abroad, are official agents authorized for colonization, and in that will be subject to the orders and instructions to one of the so-called ministers of the same usurper. The colonization which is here treated of is, as I have shown to your department in my notes of the 5th and 20th instant, eminently hostile to the United States, as it is intended to be of citizens of the south who do not submit themselves to the authority of this government, and to whom invitations are held out to go to Mexico with their slaves, there to reorganize under the shadow of France. The president

and the members of the junta of colonization established by the usurper are declared enemies of the United States, as I have shown to the department.

It is very satisfactory to me to avail of this opportunity to renew to you, Mr. Secretary, the assurances of my distinguished consideration.

M. ROMERO.

Hon. WILLIAM H. SEWARD, *&c.*

[Enclosure No. 1.—Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,
Washington, October 18, 1865.

It having come to my knowledge that certain speculators of this country have obtained pretended concessions from the French agents in Mexico—that is to say, from the so-called imperial government of Maximilian—for the establishment of an express company, proposed to be styled the "Imperial Mexican Express;" of a suburban railroad in the city of Mexico; of a line of steamers in the Gulf of Mexico, and another on the Pacific; of various lines of telegraph; to carry forward a contract for the survey of lands in the State of Sonora, and another with reference to lands and mines in Chihuahua, together with various projects of colonization in different parts of the Mexican republic; having also learned that the speculators to whom I refer, in order to induce persons of good faith to take part with them in such enterprises, have asserted that their so-called concessions will be ratified or hereafter respected by the national government of the republic, and there being not the slightest foundations for such assertions, I have to request you, in order that no one may be deceived, to cause to be published the annexed dispositions of the congress and of the supreme government of Mexico, which declare null and void and of no effect all acts of the usurping authorities.

I have also to add, that the sole fact of having so far recognized the said usurping authorities as to accept or solicit privileges or concessions from them, will be a circumstance which will not only redound to the prejudice and disability of all parties accepting or soliciting such concessions in any transaction which they may hereafter desire to have with the legitimate authorities of the republic, but will also subject them to all the responsibilities and penalties prescribed by law.

I renew to you the assurances of my consideration.

M. ROMERO.

The CONSUL GENERAL *of the Mexican Republic, New York.*

Decree of the Congress of Mexico.

[Translation.]

DEPARTMENT OF GOVERNMENT, MEXICO,
December 14, 1862.

The citizen President of the republic has been pleased to direct to me the following decree:

Benito Juarez, constitutional President of the United Mexican States, to the inhabitants of the same:

Be it known that the congress of the Union has thought proper to decree the following:

ARTICLE 1. The acts of the so-called authorities, imposed by the invaders and traitors, or which they may hereafter establish in the republic, are null and void, and can never be in any way approved.

ART. 2. All contracts celebrated by the said so-called authorities, or that may hereafter be celebrated, are also null and void; and all who take part in the same will incur civil responsibility, in addition to the criminal responsibility already prescribed by the laws now in force; and such contracts can never be regarded in any manner or taken into consideration by the supreme government of the republic.

ART. 3. The traitors cannot be considered under any aspect in the treaties which the government may celebrate with France.

Dated in the hall of sessions of the congress of the Union, in Mexico, the 13th of December, 1862.

PONCIANO ARRIAGA, *Vice-President.*

FELIX ROMERO, *Deputy Secretary.*
FRANCISCO BUSTAMENTE, *Deputy Secretary.*

Wherefore, I order that it be printed, published, circulated, and duly observed.

BENITO JUAREZ.

NATIONAL PALACE OF MEXICO, *December* 13, 1862.

To the citizen JUAN ANTONIO DE LA FUENTE, minister of foreign relations and of government:

I communicate the same to you for your intelligence and the consequent ends—liberty and reform.

FUENTE.

The citizen GOVERNOR *of the Federal District.*

Circular from the Minister of Foreign Affairs.

[Translation.]

DEPARTMENT OF FOREIGN RELATIONS AND OF GOVERNMENT,
San Luis Potosi, June 10, 1863.

* * * * * * *

The law of nations, in treating of *de facto* governments, presumes that they really exist; but it is an evident fact that the spurious authorities imposed by Napoleon III on the people now held or hereafter to be held in subjection by them are not and cannot be the government of the country, and much less when the legitimate government exists in reality. So much for the law of nations.

Now, as far as concerns our public law, those false authorities are nothing better than seditious and treasonable, Wherefore, the chief magistrate commands me so to declare and to protest, as in his name I do protest, that the republic does not and will not recognize in these supposed functionaries any power or authority whatever to bind it by their treaties, agreements, or promises, by their acts, omissions, or other means or manner whatsoever; and that those who execute any authority or commission conferred or consented to by the French will most assuredly be punished in accordance with the laws of the country.

Please to accept the assurance of my consideration and esteem.
Liberty and reform!

FUENTE.

True copy:

IGNO. MARISCAL.

WASHINGTON, *October* 27, 1865.

Protest of the permanent deputation of Congress.

[Translation.]

* * * * * * *

The permanent deputation, in the name of the congress of the Union, and as the faithful interpreter of the national sentiment so energetically and universally manifested, believes that it fulfils a most solemn obligation in reproducing, as by these presents it does reproduce, all the declarations and protests before made by the sovereign congress itself, by the executive, and by the other legitimate and loyal authorities of the country—declarations which disavow and declare null and of no effect, as against the sovereignty of the Mexican people, and without force or legal value, all acts done or which may be done by virtue of the power or under the influence of the foreign invader; and it declares that, in the constitutional orbit of its functions, remaining always at the side of the government which the nation, in the exercise of its sovereign will, manifested in conformity with its organic law, has freely established, until the next session of the national assembly shall take place, it will co-operate with all the energy and self-devotion inspired by patriotism in repelling force by force, and in using every means to disconcert and defeat the machinations of treason and of conquest, in order to maintain secure the independence, the sovereignty, the laws, and the perfect freedom of the republic.

FRANCISCO ZARCO, *President.*
IGNACIO POMBO, *Deputy Secretary.*
SIMON DE LA GARZA Y MELO,
Deputy Secretary.

SAN LUIS POTOSI, *July* 22, 1863.

Letter from the Minister of Foreign Affairs.

[Translation.]

DEPARTMENT OF FOREIGN RELATIONS AND GOVERNMENT,
Chihuahua, March 23, 1865.

In the copy annexed to your note, No. 31, of February 6, of this year, the citizen President of the republic has seen the protest which you communicated under the same date to the honorable Secretary of State of the United States, with reference to the report that the French government had resolved to order its agent, Maximilian, to sign a pretended cession of a large part of the territory of the Mexican republic.

The President approves your conduct, although in this matter the republic has already protested from the beginning, by means of its legitimate organs and of all its constituted authorities, against all the acts and consequences of the foreign invasion.

Neither the republic nor its government can ever be holden for the acts of the French agent Maximilian, whose only title to authority is that lent to him by the presence of the armed forces of France, and who could not sustain himself in Mexico for a single day without the support of foreign bayonets. * *

I renew to you my attentive consideration.

LERDO DE TEJADA.

Citizen MATIAS ROMERO,
Envoy Extraordinary, &c., &c., &c.

A true copy:

IGNO. MARISCAL, *Secretary.*

WASHINGTON, *October* 27, 1865.

[Enclosure No. 2.]

CONSULATE GENERAL OF MEXICO,
New York, October 20, 1865.

To the Editor of the Herald:

For the information of the public, and in order to protect capitalists of this country against the misrepresentations of persons interested in sustaining the usurped authority of Maximilian, I have to ask the favor that you will publish in your columns the enclosed official communication from the Mexican minister, and annexed dispositions of the Mexican government, which declare null and void all acts or concessions emanating from the so-called imperial authorities now attempting to exercise power in Mexico, under the support lent to them by the protection of foreign bayonets, and which subject all persons lending aid and countenance to such usurping authorities to all the perils and penalties usual under such circumstances upon the restoration of the legitimate authority of the country.

I am, sir, very respectfully, your obedient servant,
J. N. NAVARRO, *Mexican Consul General.*

A true copy:

IGNO. MARISCAL, *Secretary.*

WASHINGTON, *October* 27, 1865.

[Enclosure No. 3.]

OFFICE OF THE MEXICAN EXPRESS COMPANY,
No. 5 New Street, New York, October 23, 1865.

SIR: The New York journals of this morning contain your correspondence with Mr. Navarro, Mexican consul general, relating, among other matters, to the Mexican Express Company, with which we have the honor to be connected. It was our intention to have called upon you ere this in reference to the formation of this express company, but we were not able to do so. Our regret that we were not able to do so is increased by your correspondence with Mr. Navarro. We enclose to you a copy of a letter which has been addressed by us to the editors of the journals in which your correspondence appeared. The enclosure states the facts as represented to and believed to be true by the gentlemen who have become interested in the Mexican Express Company.

We did not and do not suppose that any American or Mexican citizen, having the interest of Mexico at heart, would object to having Mexico brought nearer to the United States by the formation of a company, composed of American citizens, for the purpose of facilitating commercial intercourse between Mexico and the United States. We fail to perceive how such a company, if organized in good faith and prosecuting its business with enterprise, can be the subject of animadversion.

To assure you of the good faith of the company, we enclose to you one of its prospectuses. We will afford to you such further explanations as you may desire; and we are authorized to state that any gentlemen in whom you have confidence may become shareholders in the company upon the same terms as those who are publicly solicited to take an interest in it.

The enterprise and capacity of the company require time and effort for their development. The future will afford the time, and to accompany it by the proper efforts will be the undertaking of the company.

We trust that you will receive this letter in the same frank spirit which has

dictated it, and that it will no longer seem improper to you that American capital and energy should be employed in developing the resources of Mexico.

We are, with great respect, your excellency's obedient servants,

By order of the board of trustees:

E. DE COURCILLON, *President.*
L. LE COUTEULX, *Agent, N. Y.*

His Excellency Señor ROMERO,
Mexican Minister resident at Washington.

True copy:

IGNO. MARISCAL, *Secretary.*

WASHINGTON, *October* 27, 1865.

[Enclosure No. 4.]

To the Editor of the World:

SIR: I observe in your journal of this morning an article purporting to be signed by Señor Romero as Mexican minister at Washington. Señor Romero states that it has come to his knowledge that "certain *speculators*" of this country have obtained pretended concessions from the French agents in Mexico—that is to say, from the so-called imperial government of Maximilian—for the establishment of an express company, proposed to be styled the "Imperial Mexican Express," and that, in order that no one may be deceived, Señor Romero requests the publication of certain Mexican decrees made in December, 1862, and June and July, 1863.

In answer to so much of Señor Romero's article as relates to the express company now being formed for the transaction of express business between the United States and Mexico, I have to state, that in the month of May last Maximilian was pleased to grant to myself, and to such persons, American citizens, as might become associated with me, an exclusive privilege of carrying on an express business between Mexico and the United States, and guaranteeing, so far as he could do so, protection to the company and its business. After the grant of this decree I had an interview with President Juarez in Chihuahua, in which I stated to him, with entire frankness, that I had obtained a decree from Maximilian for the purpose of forming an express company to transact business between Mexico, the United States, and elsewhere, and that I proposed to interest therein American citizens and American capital. President Juarez advised me that he had no objection to the formation of such a company as I proposed, and that it was then and always had been his desire, knowing, as he supposed, the wishes and desires of the American people in regard to the form of government to prevail in Mexico, to have American citizens and American capital permanently transferred to Mexico. He remarked that this was the common-sense view of the matter, and that, certainly, there could be no objection to having American capital invested in Mexico for the purpose of conducting an express business.

I repeated these assurances from President Juarez to gentlemen in New York who have become interested with me in the formation of a Mexican express company. These gentlemen are too well known in the city of New York and in the United States, in connexion with expresses already in successful operation, to need any defence against a charge of "speculators."

I have sent copies of this letter to Mr. Navarro, Mexican consul, and to Señor Romero.

I am, very respectfully, your obedient servant,

EUGENE DE COURCILLON,
President of the Mexican Express Company.

No. 5 New street, New York, *October* 23, 1865.

True copy:

IGNO. MARISCAL, *Secretary.*

WASHINGTON, *October* 27, 1865.

[Enclosure No. 5.]

Prospectus of the Mexican Express Company, organized October 10, 1865; *capital* $2,000,000; *shares*, $100 *each.*

Trustees.—E. de Courcillon, city of Mexico; I. I. Hayes, 416 Broadway, New York; Clarence A. Seward, 29 Nassau street, New York; Henry Sanford, 59 Broadway, New York; L. W. Winchester, 65 Broadway, New York; Peter A. Hargous, 8 Pine street, New York; Henry B. Plant, Augusta, Georgia; John Hoey, 59 Broadway, New York; B. Haynes, San Francisco, California; Henry R. Morgan, 24 Broadway, New York; J. C. Babcock, 59 Broadway, New York.

President.—E. de Courcillon.

Vice-President.—I. I. Hayes.

Treasurer.—J. C. Babcock.

Secretary.—C. A. Seward.

Counsel of the Company.—Blatchford, Seward & Griswold.

Agents.—Louis Le Couteulx, New York; J. P. Nourse, San Francisco, California; W. L. Benfield, Mexico; G. Guichene, Vera Cruz: Detroyat, St. Nazaire, France.

MEXICAN EXPRESS COMPANY.

The Mexican Express Company is organized under the laws of the State of New York, in conformity with a grant from the Mexican government. This grant is in substance as follows:

The company is exclusively authorized to carry on the express business throughout Mexico, and between Mexico and the United States and Europe. The government grants to the company the exclusive privilege of carrying mailable matter, and also of transporting all government property. It gives to the company the right to demand and obtain a military escort, when required, to fix its own tariffs, and to import all materials necessary for the express, free of duties. It also grants to the company the privilege of colonization, and the company's agents are recognized as official agents of colonization. It appropriates to the company, free of cost, four leagues of land, with the privilege of taking up, for the use of colonists, any of the unoccupied public lands, at a cost not exceeding one dollar per acre. The colonists, under the patronage of the company, are privileged to import all materials for their own use free of duties.

The object had in view by the Mexican government in conceding these liberal privileges is to invite to the country American capital and energy, and it cannot be denied that the grant is very valuable. The banking and exchange business, and the transportation of specie and bullion from the city of Mexico, Guanhato, &c., and the mining districts, will be very large, while the distribution of imported articles of every kind throughout the country will furnish business only limited by the resources of the company.

The company will be patronized to the fullest extent by the Mexican government and people, and every facility will be afforded, consistent with the laws,

for the transaction of its business. The faith of the government is pledged to protect the company's interest, and the merchants and citizens generally have signified their appreciation of the advantages to be derived from its successful working, and have proffered their co-operation. The business of the company is indeed ready made, and its immediate success is secured. Both government and people being united in their efforts to promote its organization and working, gives the strongest assurance that it is greatly needed.

The company will commence business at once, with a capital stock of two millions of dollars, one million of which will be sold, and the proceeds appropriated as a working capital. Only twenty per cent. of this will be required on subscription, and not more than ten per cent., in addition, will be called for within six months thereafter. This will furnish ample funds for placing the company in successful working order. Thirty days' notice will be given of any assessment. In the event of more capital being needed, as the business of the company is extended, the board of trustees have power, under the articles of association, to increase it as the necessities of the case may require, by their giving thirty days' notice to the original stockholders.

The books for subscription to the capital stock of the company are open at the banking office of Wilmerding, Cornwell & Heckscher, No. 5 New street, New York, where full explanations will be given by the undersigned.

I. I. HAYES, *Vice-President.*

[Enclosure No. 6.]

Unofficial.] WASHINGTON, *October* 24, 1865.

SIR: Your favor of yesterday, relating to my correspondence with the consul general of Mexico in the United States, in regard to certain so-called grants given by the usurper of Mexico, and enclosing a copy of your letter to the press on that subject, has been received. I will answer it, in an unofficial manner, in the same frank spirit you say has dictated yours.

If you are an American citizen, and have at heart the broad interest of this continent, chiefly represented by the United States, I confess that I cannot understand why you, in your capacity of an American citizen, should so far recognize Maximilian as to ask for and receive grants from him, as if he represented the national authority of Mexico, and should afterwards organize a company in the leading city of this country of prominent and influential American citizens, which must, by necessity, give their support and throw all the weight of their influence towards the subjugation and enslavement of Mexico, and the consequent humiliation of their own country.

I confess that I cannot, either, understand how American capital transferred to Mexico, under the French and Maximilian, will be a support for the independent cause in that country. Were that so, the best policy for the United States, if they wish to defend the Mexican nationality and republican institutions on this continent, would have been to recognize at once Maximilian and establish friendly relations with him.

It has never seemed improper to me, sir, that American capital and American energy should be employed in developing the resources of Mexico, nor that companies composed of American citizens for the purpose of facilitating commercial intercourse between Mexico and the United States should be established. In several addresses that I have made in this country, all of which have been published, I have advocated that policy, not as my own only, but as the policy of the national government of Mexico. It is not generally known in this country that the present French intervention in Mexico has been due, in a great measure, to the very desire of the Mexican government of developing the coun-

try with American skill and capital, to the great regard it felt for the United States as a people, and to a wish to imitate their wonderful career by following in their footsteps. The French Emperor went to Mexico to overthrow the very government which was American at heart, and openly avowed that in doing so he intended to check the progress of the United States.

If Maximilian, who is, and has been, by his position, without will of his own, and reflecting only the Napoleonic policy, pretends now to encourage Americans to develop Mexico, his object is a very clear one, and that only to obtain support in this country, disappointing, finally, such persons as may in good faith accept his grants, even in case he could remain there long enough to have them developed.

I am sure there was some misunderstanding in what you state was your conversation with President Juarez on the subject of your company under Maximilian's grants. The President of Mexico is too much in earnest in the present war, too patriotic a man, and he has too much common sense, to encourage in any way an enterprise calculated to give aid and comfort to the enemies of his country with whom he is at war. Besides, he could not forget himself so far as to set aside the laws of congress and his own and recent official declarations on this subject. He will be, I am sure, as much surprised as I have been when he hears that his name has been used to induce American capitalists to embark in an enterprise which, of necessity, is, and cannot but be, inimical to himself and to his country.

There is another feature in your company which makes it still more inimical to the national cause of Mexico. According to article 1st of Maximilian's grants, and to article 1st of the first contract you signed with his so-called minister of fomento, your company "*binds itself to transport all the material of war of Maximilian* with a reduction of ten per cent. upon the prices adopted for the public," and by that provision you not only give moral aid and support to the invaders of Mexico, but also an effective material aid.

I am sorry I cannot avail myself of the opportunity to try the good faith of your company, by accepting the shares you kindly offer me for those persons in whom I have confidence and may designate, "to become shareholders of your company upon the same terms as those who are publicly solicited to take an interest in it." My duty and my sense of honor, besides other considerations of decorum and propriety, forbid me from aiding, in any way, an undertaking which I am sorry I cannot see in other light but as inimical to my country.

The French Emperor and his agents in Mexico, representing conquest and Cæsorism, are avowed and open enemies of the republic of Mexico and its defenders, representing American nationality and republican institutions. If you have been acting in good faith with the invaders, you certainly cannot be friendly to the republic; and, *vice versa*, if you act in good faith with the republic, you certainly cannot be a friend of Maximilian. It is for you to decide which is the wisest course to follow, but in either case you must expect the consequences.

I am, sir, very respectfully, your most obedient servant,

M. ROMERO.

E. DE COURCILLON, Esq., *New York City.*

A true copy:

IGNO. MARISCAL,
Secretary of the Mexican Legation.

WASHINGTON, *October* 27, 1865.

[Enclosure No. 7.]

CONSULADO GENERAL DE LA REPUBLICA
MEJICANA EN LOS ESTADOS UNIDOS,
New York, October 24, 1865.

TO THE EDITOR OF THE HERALD: Mr. Eugene de Courcillon, who signs himself "president of the Mexican Express Company," has addressed to me a communication under date of yesterday, which I see also appears in your columns of this morning. I have to ask the renewed favor of the courtesy at your hands of space for a few words in reply.

Mr. de Courcillon states in his communication that in the month of May last Maximilian was pleased to grant to him, and such persons (American citizens) as might become associated with him, an exclusive privilege for carrying on an express business between Mexico and the United States, and guaranteeing, so far as he could do so, protection to the company and its business; that after the grant of this decree he had an interview with President Juarez in Chihuahua, in which he stated to him, with entire frankness, that he had obtained a decree from Maximilian for the purpose of forming an express company to transact business between Mexico, the United States, and elsewhere, and that he proposed to interest therein American citizens and American capital; that President Juarez advised him that he had no objection to the formation of such a company as he proposed, and that it was then and always had been his desire, knowing, as he supposed, the wishes and desires of the American people in regard to the form of government to prevail in Mexico, to have American citizens and American capital permanently transferred to Mexico; and that President Juarez remarked that this was the common-sense view of the matter, and that certainly there could be no objection to having American capital invested in Mexico for the purpose of conducting an express business.

These statements which I have quoted show very clearly the position of the "Mexican Express Company." They prove too much to be satisfactory either to President Juarez or to Maximilian.

It seems that after having obtained his grant from Maximilian, whom he fails to style "Emperor," feeling somewhat doubtful about the future validity of concessions in Mexico from an Austrian archduke, he proceeded to "have an interview with President Juarez." What was the necessity or even propriety of this "interview," if Maximilian was, and is to continue to be, the government of Mexico? In this interview President Juarez advised him that it was then, and always had been, his desire to have American citizens and American capital permanently transferred to Mexico, and that there could be no objection to having American capital invested in Mexico for the purpose of conducting an express business. This is undoubtedly true. President Juarez has always been favorable to the introduction of American capital and American enterprise into Mexico, and every one of the boasted enterprises of material improvement, for the adoption of which so much credit is claimed by his partisans for Maximilian, had already been the subject of liberal concessions from his government long before even the name of Maximilian was known in Mexico. But it is not true that President Juarez desires that American capital shall be introduced into Mexico under concessions from the false and spurious government of Maximilian, which is sustained only by the presence of foreign bayonets, and which is shedding the blood of thousands upon thousands of Mexican citizens, whose only crime is that they are struggling to preserve the free institutions and the independence of their country. It would be an insult to the common sense as well as patriotism of President Juarez to suppose for an instant that he can look with favor upon enterprises which give their moral support to the invaders of his country by recognizing them as lawful and legitimate authorities and solicit-

ing and accepting concessions from them. Were there no laws prohibiting such a course, the noble patriotism of President Juarez would alone render this impossible. He does desire to see American enterprises established in Mexico, but he does not desire that they should seek the auspices of the invaders of his country, who are attempting its life, and to drive him an exile from his native land. I make these almost unnecessary explanations simply to call the attention of the public to a view of the question which they may for a moment have overlooked. Republican institutions are not to be overthrown upon this continent, and it is therefore of interest to know on which side those who are about to invest their money in Mexico desire to place themselves.

But with reference to this express company there is a more serious view to take. Its sole title in Mexico is that contained in a co-called decree issued and signed by Maximilian, and dated May 15, 1865. Article first of this so-called decree is as follows: "It is conceded to Dr. de Courcillon, in conformity with an act of association presented to our minister of fomento, to establish throughout the empire, under the title of '*Expreso del Emperio Mexicano*,' a company for the transportation of travellers, merchandise, mails," &c. Article second is as follows: "Our government, in order to help and protect the said company, engages itself to use the services of the express for the transportation of all the civil and military freight of the said government, in conformity with a contract agreed upon between the company and our respective ministers." And article seven is as follows: "The agents of the company in Mexico, as well as abroad, are authorized as official agents of colonization, and in that capacity are subject to the orders and directions of our minister." Article first of the contract with the minister of fomento is in these words: "De Courcillon takes the obligation to transport the *materiel* of war and of administration with a reduction of ten per cent. from the prices adopted for the public, and otherwise with the same conditions and terms as for the public."

Does Mr. de Courcillon mean that he showed this so-called decree to President Juarez, and that President Juarez approved of the procuring of capital in the United States for the purpose of transporting the *materiel* for Maximilian with which he is waging war upon the Mexican people? Does he mean to say that President Juarez, or the legitimate authorities of the republic, will hereafter look with favor upon those who are associating themselves together to aid French and Austrian soldiers in their bloody work of slaughtering my fellow-countrymen, of carrying desolation all over my country, and exterminating its inhabitants in the unholy attempt to force a European prince upon us as our ruler, to establish monarchical institutions where before a republic has existed? And is it citizens of this great, free republic of the United States, just emerged from the noblest struggle of all history in the support of those institutions, who are to join in this attempt? The question is not one of establishing useful enterprises in Mexico; it is whether American citizens will join in the perpetration of a crime—as Mr. Motley justly calls it—the crime of the destruction of a free republic.

My country was bare of arms when this unequal struggle with France commenced. We have as yet been unable to obtain them; the United States has been closed to us as a source of supply, and we have nowhere else to look. Yet the struggle is still carried on, and to-day in every part of the republic its citizens are spontaneously rising, and are offering resistance to the extent of their means against the invader. If the people of the United States will not aid the liberal side, can we not at least expect that they will refrain from giving their moral countenance and support on the side of the French? The brutal and bloody decree of Maximilian published to-day condemns to trial by court-martial, and death within twenty-four hours, every Mexican who continues to

struggle for the freedom and independence of his country. Will Americans add their influence on the side of the invader? I am glad and proud to believe there are very few who, from motives of gain, can be so base.

I am, sir, very respectfully, your obedient servant,

J. N. NAVARRO,
Mexican Consul General.

True copy:

IGNO. MARISCAL, *Secretary.*

WASHINGTON, *October* 27, 1865.

[Enclosure No. 8.]

The concession is signed by Maximilian, and is dated May 15, 1865.

Article 1 is as follows:

"It is conceded to Dr. de Courcillon, in conformity with an act of association presented to our minister of fomento, to establish throughout the empire, under the title of 'Expreso del Imperio Mexicano,' a company for the transportation of travellers, merchandise, mails, &c., &c.

"ARTICLE 2. Our government, in order to help and protect the said company, engage itself to use the services of the express for the transportation of all the civil and military freight of the said government, in conformity with a contract agreed between the company and our respective ministers.

* * * * * * * *

"ARTICLE 7. The agents of the company in Mexico, *as well as abroad*, are authorized as official agents of colonization, and in that capacity *are subject to the orders* and directions of *our minister.*"

MAXIMILIAN.

MAY 15, 1865.

This is followed by three contracts, one for the carrying of freight, another for the mails, and another for colonization.

In article 1st of the first contract is the following obligation:

"ARTICLE 1. De Courcillon *takes the obligation to transport the material of war* and of administration with the reduction of ten per cent. from the prices adopted for the public, and otherwise on the same conditions as for the public."

The contract is for nine years.

No. 2.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,
Washington, 31st of October 1865.

MR. SECRETARY: In addition to what I had the honor to communicate to you in the note I addressed to you on the 27th of the month which ends to-day, in relation to certain pretended concessions made by the usurper Maximilian, and especially to the so-called company of the "Imperial Mexican Express," I have now the honor to send to the department an extract from the New York Herald, of said date, which contains a letter from Mr. Courcillon, president of such company, in which, laying aside his first idea of causing it to be believed that his pretended concession was sanctioned by the national government of

Mexico, and even had been obtained to the advantage of said government, he shows what is and has been his real object.

I avail of this opportunity to renew to you, Mr. Secretary, the assurances of my most distinguished consideration.

M. ROMERO.

Hon. WILLIAM H. SEWARD, &c.

[Enclosure No 1.]

THE MEXICAN EXPRESS COMPANY,
New York, October 26, 1865.

To the Editor of the Herald:

I do not propose to enter into any controversy with Mr. J. N. Navarro, consul general of ex-President Juarez at this port; but as I observe that his misinterpretation of my interview with the ex-President has been repeated in other quarters, I beg leave, through your courtesy, to say that, representing a business contract with the government of the Emperor Maximilian, I simply wished to learn from ex-President Juarez whether the convoys of the Mexican Express Company passing through regions occupied by troops or guerillas acting under his orders would be molested. He assured me that they would not be, and I consider the assurance creditable to his good sense. As he no longer, however, issues any orders on Mexican soil, the whole matter has ceased to have any importance for myself or my company.

I am your very obedient servant,

E. DE COURCILLON.

No. 3.

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,
Washington, 1st of November, 1865.

SIR: Your communication of the 27th of October was received on the 28th of that month, and the one of the 31st on its date.

In relation to the operations of an express company which you represent as having been organized in this country, with views injurious to the republic of Mexico, I have the honor to inform you that this government has no knowledge on the subject otherwise than what is furnished by your note or derived from the newspaper press. If citizens of the United States, or other persons residing therein, shall, whether by virtue of any charter which that company may have or may pretend to have, in any way infringe the laws or treaties of the United States, or the law of nations, affecting the republic of Mexico, proper measures will be promptly taken to prevent or redress the wrongs which may be meditated or committed.

I shall deem it a favor to receive information on the subject from any quarter.

I avail myself of this occasion to renew to you, sir, the assurances of my most distinguished consideration.

WILLIAM H. SEWARD.

P. S.—Instructions to this effect have already been given to the prosecuting officers.

W. H. S.

Señor MATIAS ROMERO, &c., *Washington, D. C.*

No. 4.

Lieutenant General Grant to Mr. Seward.

HEADQUARTERS ARMIES OF THE UNITED STATES,
Washington, D. C., November 1, 1865.

SIR: I have the honor to forward for your perusal the prospectus of the Mexican Express Company, forming in New York city for the undoubted purpose of aiding the imperial government of that country, and also some slips taken from New York papers throwing some light upon the subject.

Your particular attention is respectfully called to the article taken from the New York Courier des Etats Unis.

Very respectfully, your obedient servant,

U. S. GRANT, *Lieutenant General.*

Hon. W. H. SEWARD, *Secretary of State.*

[Enclosure No. 1.]

THE MEXICAN EXPRESS COMPANY.

NEW YORK, *October* 26, 1865.

To the Editor of the Herald:

I do not propose to enter into any controversy with Mr. J. N. Navarro, consul general of ex-President Juarez at this port; but as I observe that his misinterpretation of my interview with the ex-President has been repeated in other quarters, I beg leave, through your courtesy, to say that, representing a business contract with the government of the emperor Maximilian, I simply wished to learn from ex-President Juarez whether the convoys of the Mexican Express Company passing through regions occupied by troops or guerillas acting under his orders would be molested. He assured me they would not be, and I consider the assurance creditable to his good sense. As he no longer, however, issues any orders on Mexican soil, the whole matter has ceased to have any importance for myself or my company.

I am your very obedient servant,

E. DE COURCILLON.

[Enclosure No. 2.]

THE MEXICAN EXPRESS COMPANY.

To the Editor of the Herald:

I observe in your journal of this morning an article purporting to be signed by Señor Romero as Mexican minister at Washington. Señor Romero states that it has come to his knowledge that certain speculators of this country have obtained pretended concessions from the French agents in Mexico—that is to say, from the so-called imperial government of Maximilian—for the establishment of an express company, proposed to be styled the "Imperial Mexican Express," and that, in order that no one may be deceived, Señor Romero requests the publication of certain Mexican decrees, made in December, 1862, and June and July, 1863.

In answer to so much of Señor Romero's article as relates to the express company now being formed for the transaction of express business between the United States and Mexico, I have to state that in the month of May last, Maximilian was pleased to grant to myself and to such persons (American citizens) as might become associated with me an exclusive privilege of carrying on an express business between Mexico and the United States, and guaranteeing, so far as he could do so, protection to the company and its business. After the

granting of this decree, I had an interview with President Juarez, in Chihuahua, in which I stated to him, with entire frankness, that I had obtained a decree from Maximilian for the purpose of forming an express company to transact business between Mexico and the United States and elsewhere; and that I proposed to interest therein American citizens and American capital. President Juarez advised me that he had no objection to the formation of such a company as I proposed, and that it was then, and always had been, his desire, knowing, as he supposed, the wishes and desires of the American people in regard to the form of government to prevail in Mexico, to have American citizens and American capital permanently transferred to Mexico. He remarked that this was the common-sense view of the matter, and that certainly there could be no objection to having American capital invested in Mexico for the purpose of conducting an express business.

I repeated these assurances of President Juarez to gentlemen of New York, who have become interested with me in the formation of a Mexican express company. These gentlemen are too well known in the city of New York, and in the United States, in connexion with expresses already in successful operation, to need any defence against a charge of "speculators."

I have sent copies of this letter to Mr. Navarro, Mexican consul, and to Señor Romero.

I am, very respectfully, your obedient servant,

EUGENE DE COURCILLON,
President of the Mexican Express Company.

[Enclosure No. 3.—Translation.]

[From the "Courrier des Etats Unis," of New York, October 24, 1865.]

Mr. Matias Romero has deemed it proper to revive a collection of decrees and laws from the so-called republican government of Mexico, which declare all the grants made by the legitimate government null and void. This confused heap of protests without force are reprinted in consequence of the establishment, in New York, of the "Mexican Express Company," to which capitalists and influential persons have subscribed, and among them Mr. Clarence Seward, a nephew of the Secretary of State. The arrogance of the agents of Juarez agrees perfectly with the farce of their loan.

If thinking men, such as Mr. Clarence Seward, take part in enterprises patronized by the empire, it is because they believe in its stability; for the same reason no man of means will commit himself to this fancy loan. In order that this speculation should have any chances of success, it would be necessary that the United States should be determined to wage war against Mexico and France, and the most simple common sense, notwithstanding the ambiguous words of the Secretary of State, which people seek to interpret, and which were only spoken in order to partially satisfy the radical supporters of the Monroe doctrine—the most simple common sense, we repeat, indicates that the cabinet of Washington will not become the Don Quixote of a cause which numbers among its advocates so many competitors of Gines de Pasamonte.

No. 5.

Mr. Seward to Lieutenant General Grant.

DEPARTMENT OF STATE,
Washington, November 1, 1865.

GENERAL: I have the honor to acknowledge the receipt of your letter of this date, enclosing for my perusal the prospectus of the Mexican Express Com-

pany forming in New York city, and the three slips taken from New York papers, throwing some light upon the operations of that company, with the view of aiding the so-called imperial government of Mexico.

In reply, I have the honor to state that the proper measures have been adopted by this department to prevent a violation of the laws of the United States, and the existing treaty stipulations between the United States and the Mexican republic.

In this connexion, I transmit for your information a copy of my note to Señor Romero, of this date, upon the same subject, a copy of which has also been forwarded to C. A. Seward, esq., of New York.

You will be pleased to accept my thanks for the information communicated by you to this department.

I have the honor to be, general, your most obedient servant,

WILLIAM H. SEWARD.

Lieutenant General U. S. GRANT,
Commanding Armies of the United States, Washington, D. C.

No. 6.

Mr. Seward to Mr. Dickinson.

DEPARTMENT OF STATE,
Washington, November 1, 1865.

SIR: Information has been received at this department of the formation of an express company in the city of New York, styled the "Mexican Express Company," for the purpose of aiding the so-called imperial government of Mexico.

You will adopt prompt measures to prevent a violation, in this connexion, by citizens of the United States, or by other persons residing therein, whether by virtue of any charter which that company may have, or may pretend to have, in any way infringing the laws or treaties of the United States, or the law of nations, affecting injuriously the republic of Mexico.

You will diligently watch the operations of this Mexican Express Company, and act in the premises as your sound judgment and discretion shall dictate, with the view of preventing any violation of the just obligations of this government towards the constitutional and recognized government of Mexico.

I have the honor to be, sir, your obedient servant,

WILLIAM H. SEWARD.

DANIEL S. DICKINSON, Esq.,
U. S. District Attorney, Southern District of New York, N. Y.

No. 7.

The Secretary of State to Clarence A. Seward.

DEPARTMENT OF STATE,
Washington, November 1, 1865.

SIR: I transmit herewith, for your information, a copy of a letter addressed by me, to-day, to Señor Matias Romero, the envoy extraordinary and minister plenipotentiary of the Mexican republic, which relates to the formation of the Mexican Express Company, recently organized in the city of New York, and with which you appear to be connected.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CLARENCE A. SEWARD, Esq., *New York.*

No. 8.

Mr. Romero to Mr. Hunter.

[Translation.]

MEXICAN LEGATION TO THE UNITED STATES OF AMERICA,
Washington, 21st of January, 1866.

MR. ACTING SECRETARY: In my note of the 27th of October, 1865, to your department, relative to grants made by the Austrian ex-Archduke Ferdinand Maximilian to citizens of this country, to create some interest, among other objects, in favor of usurpation in the United States, and specially to the so-called "Imperial Mexican Express Company," formed in New York by virtue of one of those pretended grants, I transmitted (No. 4) the copy of a letter addressed by Mr. de Courcillon, president of the said company, to the New York press on the 23d of October, and printed the next day, of which he sent me a copy, with his letter to me of the same date, and which I transmitted to the department as No. 3. In the first of these letters Mr. de Courcillon, in order to induce citizens of this country to take part in his speculations, assured them it was sanctioned by President Juarez, and he used the following language:

"After the granting of this decree, [that of the usurper,] I had an interview with President Juarez in Chihuahua, in which I stated to him, with entire frankness, that I had obtained a decree from Maximilian for the purpose of forming an express company to transact business between Mexico and the United States and elsewhere, and *that I proposed to interest therein American citizens and American capital.*

"President Juarez advised me that he had no objection to the formation of such a company as I proposed, and that it was then, and always had been, his desire, knowing, as he supposed, the wishes and desires of the American people in regard to the form of government to prevail in Mexico, to have American citizens and American capital permanently transferred to Mexico.

"He remarked that this was the common-sense view of the matter, and that certainly there could be no objection to having American capital invested in Mexico for the purpose of conducting an express business."

It immediately occurred to me that what Mr. de Courcillon had asserted could not be true, and I told him so in the letter I addressed to him on the 24th of October, a copy of which I sent to your department, No. 6, with my note above referred to. I communicated these facts to my government in due time, as was my duty, and to-day I received an answer from the President of the Mexican republic, dated El Paso, December 22, 1865, and enclose you a copy of it. You will see by it that President Juarez informs me that he has never sanctioned that project of Mr. de Courcillon, or anybody else, founded on the usurper's grants, nor could he do anything so contrary to the law and dignity of the Mexican nation, and that he never before heard of Mr. de Courcillon and his project.

I think proper to make you acquainted with this circumstance at the present time, as a future reference to this and similar affairs, intending at the same time to transmit the official answer of Mr. Lerdo de Tejada, Mexican minister of foreign affairs, to my communications of last October, as soon as it comes to hand.

I embrace this opportunity to renew to you, sir, the assurance of my distinguished consideration.

M. ROMERO.

Hon. WILLIAM HUNTER, *&c.*

CHIHUAHUA, *December* 1, 1865.

* * * * * * * *

I am much obliged to you for the information you have given me of Mr. de Courcillon's assumptions.

The gentleman is very much mistaken if he thinks I can approve of what has never come to my knowledge.

* * * * * * * *

BENITO JUAREZ.

Mr. JUAN N. NAVARRO, *New York.*

A true copy:

IGNO. MARISCAL, *Secretary.*

WASHINGTON, *January* 21, 1866.

[Enclosure.]

EL PASO, *December* 22, 1865.

MY DEAR FRIEND: * * * You did exactly right to deny the representation of Mr. de Courcillon that he had my sanction, or expected to have it, to carry out his Maximilian grant. Neither to him nor to anybody else have I offered things contrary to the law and the dignity of our country. Moreover, I had never before heard of the gentleman or his projects. * *

Your affectionate friend,

BENITO JUAREZ.

Señor Don MATIAS ROMERO, *Washington.*

A true copy:

IGNO. MARISCAL, *Secretary.*

WASHINGTON, *January* 21, 1866.

No. 9.

Mr. Romero to Mr. Hunter.

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,
Washington, 28th January, 1866.

MR. ACTING SECRETARY: I have the honor to inform you that I have just received the reply of my government to my communications of October, 1865, relating to the so-called grants of French agents in Mexico to citizens of this country, of which I spoke in my letter of the 21st instant.

In accordance with what I said on that occasion, I now have the honor to send to your department, for the information of the government of the United States, copies of two notes addressed to me on that subject by Mr. Lerdo de Tejada, minister of foreign relations of the Mexican republic, dated at Paso del Norte, the 26th of December last, and numbered 415 and 416.

I embrace this occasion to renew to you, sir, the assurances of my distinguished consideration.

M. ROMERO.

Hon. WILLIAM HUNTER, *&c.*

[Enclosure No. 1.]

No. 415.] DEPARTMENT OF FOREIGN RELATIONS AND GOVERNMENT,
OFFICE OF RELATIONS, AMERICAN SECTION,
Paso del Norte, December 26, 1865.

In your notes numbered 503, 516, 520, 523, 526, and 527, dated the 17th, 21st, 24th, 26th, and 27th of October last, and their enclosures, you informed me of the attempts of the usurper Maximilian to bribe persons of influence in that country, and even public men, by means of grants, particularly that for a company to establish a "Mexican express," in which company figures Mr. Clarence A. Seward, ex-Assistant Secretary of State, nephew of the Secretary of State, and a prominent citizen of New York, in the three-fold character of trustee, secretary, and counsellor.

You also informed me of the bad effect on the interest of our country this connexion of Mr. Clarence A. Seward's name with the said company had, causing light-thinking persons to believe that, because of his official and parental relations with the Hon. William H. Seward, this circumstance interpreted the ideas and sympathies of that distinguished statesman, and even of the government of the United States, as in favor of Maximilian's usurpation.

You finally informed me of what you had said about the nullity of those grants, published in the newspapers of that country, and what you had said about them in various interviews with citizens of that republic, and the note you addressed to Mr. Seward on the subject on the 27th of October last.

I have given an account of all this to the citizen President of the republic, who approves of your diligent and enlightened zeal in this business, and has no doubt but you will continue to act with the same energy and interest.

I mentioned to you, in another note, that you could publish or not what I had communicated to you about the nullity of Maximilian's grants, and about the falsehood of Mr. Courcillon, who styles himself president of the company, in saying he had obtained the President's approbation.

I assure you of my attentive consideration.

LERDO DE TEJADA.

Citizen MATIAS ROMERO,
Envoy Extraordinary and Minister Plenipotentiary
from the Mexican Republic, at Washington City, D. C.

A true copy:

IGNO. MARISCAL, *Secretary.*

WASHINGTON, *January* 28, 1866.

[Enclosure No. 2.]

No. 416.] DEPARTMENT OF FOREIGN RELATIONS
AND GOVERNMENT, AMERICAN SECTION,
Paso del Norte, December 26, 1865.

In your note of the 24th of October last, No. 520, with its enclosures, you communicated to me what the consul general of the Mexican republic in New York had published in the papers of that city, at your request, about the nullity of the pretended grants of Maximilian to a company trying to be organized, to establish a "Mexican Express," and what Mr. Eugene de Courcillon, as presi-

dent of the above company, had published in the same papers in answer to the Mexican consul.

The declarations of the congress and government of the Mexican republic have been very frequent and explicit concerning the nullity of authoritative acts the French agent in Mexico and French intervention have pretended to enforce. In the war kept up by the intervention and Maximilian against the independence and sovereignty of Mexico, they can exercise no legitimate authority in the country because their acts have no foundation by right, and are only enforced by abuse of power and use of foreign bayonets. So the legitimate authorities of the republic have never recognized, nor will they ever recognize as valid, any acts whatever of the intervention and the French agent, Maximilian, because they have no principle of law nor any source of legitimate authority to pass them.

In his publication Mr. de Courcillon says, that after obtaining the pretended grants from Maximilian, in May last, he had an interview with the President of the republic at Chihuahua, and he said he had no objection to make to the formation of a "Mexican Express" company, nor to its pretended grants.

It is to be presumed that this assertion of Mr. Courcillon would appear very unlikely at once to every person of common sense. The President has instructed me to tell you he said no such thing to Mr. Courcillon; that he did not speak with him in Chihuahua; does not know him; never spoke with him anywhere, nor ever had any intercourse with him by writing, nor in any other way, at any time or place, directly or indirectly.

I think I can also assure you, from reliable sources, that Mr. Courcillon has not been in Chihuahua since May last; and it appears, also, he never was in Chihuahua at any previous period.

I assure you of my very attentive consideration.

LERDO DE TEJADA.

Citizen MATIAS ROMERO,
Envoy Extraordinary and Minister Plenipotentiary of the Mexican Republic at Washington, D. C.

A true copy:

IGNO. MARISCAL, *Secretary.*

WASHINGTON, *January* 28, 1866.

No. 10.

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,
Washington, January 31, 1866.

SIR: I have the honor to acknowledge the receipt of your two communications of the 21st and 28th instant, with their respective accompaniments, relative to the formation of an express company in the city of New York, under a grant emanating from the so-called emperor of Mexico, and which you are pleased to communicate for the information of the government of the United States.

Thanking you for your kind courtesy, I avail myself of this opportunity to renew to you, sir, the assurance of my very distinguished consideration.

WILLIAM H. SEWARD.

Señor MATIAS ROMERO, &c., *Washington, D. C.*

No. 31.

THE CAPTURE OF BAGDAD.

List of papers.

No. 1. Mr. Romero to Mr. Seward ..... Jan. 31, 1866.
No. 2. Mr. Seward to Mr. Romero ..... Mar. 14, 1866.

No. 1.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION TO THE UNITED STATES OF AMERICA,
Washington, 31st of January, 1866.

MR. SECRETARY: The newspapers of this country allude to the capture of Boca del Rio, a town generally known in the United States by the name of "Bagdad," by a force which, it seems, came from Clarksville, a town on the opposite side of the Rio Bravo, in United States territory. Although the accounts published up to this time are contradictory, incomplete and inaccurate, yet it seems that the force that occupied Boca del Rio did it with the best feelings towards the government of Mexico, thinking perhaps to render a service by taking from the enemy one of the points held by the invaders.

For this reason, as well as my dislike to cause unnecessary trouble to the United States, I refrain for the present from expression of opinion on this subject, till I can receive authentic details of what has taken place on the frontier, and instructions from my government. Nevertheless, as I desire to inform the government of Mexico of what has happened on the Rio Bravo, I take the liberty of requesting you to give me the information received at the department under your charge, if there is no impropriety in the request.

I am happy to have this opportunity to renew to you, Mr. Secretary, the assurances of my distinguished consideration.

M. ROMERO.

Hon. WILLIAM H. SEWARD, *&c.*

No. 2.

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,
Washington, March 14, 1866.

SIR: I have the honor to acknowledge the receipt of your note of the 31st of January last, requesting information respecting the reported capture of the town of Bagdad, on the Rio Bravo.

In reply, I have to state that no official information upon the subject has been received at this department.

I avail myself of this occasion to renew to you, sir, the assurances of my distinguished consideration.

WILLIAM H. SEWARD.

Señor MATIAS ROMERO, *&c., Washington, D. C.*

No. 32.

THE NATIONALIZATION OF MEXICAN VESSELS AT NEW YORK.

List of papers.

No. 1. Mr. Romero to Mr. Seward, (with one enclosure)..... Jan. 15, 1865.
No. 2. Mr. Seward to Mr. Romero ..... Jan. 18, 1865.
No. 3. Mr. Seward to Mr. Fessenden ..... Jan. 20, 1865.
No. 4. Mr. Seward to Mr. Romero, (with two enclosures) ..... Jan. 30, 1865.
No. 5. Mr. Romero to Mr. Seward ..... Jan. 31, 1865.

No. 1.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION TO THE UNITED STATES OF AMERICA,
Washington, 15th of January, 1865.

MR. SECRETARY: I have the honor to remit to you copy of a letter which, under date of yesterday, the consul general of the Mexican republic in the United States, resident at New York, addressed to me, informing me that, as he had learned, the custom-house at that port has express orders from the government of the United States not to clear any Mexican vessel nationalized in this country, and that in virtue thereof the American schooner Prize, which had been legally nationalized under the Mexican flag by the name of Dos Hermanos, was not allowed to leave that port.

Not believing it to be possible that the government of the United States could have had the intention to refuse to the Mexican republic, or its agents duly accredited and acknowledged, the exercise of a right which unquestionably belongs to them, I cannot comprehend the proceedings to which the Mexican consul refers, unless through a misconstruction which the officers of the customs at New York may have given to the instructions they may have had from the government of the United States. To be enabled to give to my government the proper explanations about this matter, and to communicate to the consul at New York the instructions I may deem necessary, I beg you will please to inform me, if not inopportune, of the tenor of the orders issued by this government relative to this matter.

I avail of this opportunity to renew to you, Mr. Secretary, the assurances of my distinguished consideration.

M. ROMERO.

Hon. WILLIAM H. SEWARD, *&c.*

[Enclosure No. 1.—Translation.]

NEW YORK, *January* 14, 1865.

On the 29th day of December last Captain Don Ramon Berretiaga presented himself at this office, requesting that the American schooner Prize, which had passed into his ownership, should be nationalized under the Mexican flag, by the name of the Dos Hermanos. After having proved his ownership, and complied with all the requisites the laws require, I issued to Captain Berretiaga the proper commission.

A few days after the same gentleman appeared, requesting me to return the security which Mr. Francis Alexander had given, and which was now of no avail, because the schooner had taken English nationality.

Barretiagu being asked why he had made this sudden change, replied that, the schooner being already laden and on the point of sailing, the custom-house at this city had refused to give him the proper clearance, saying they had *express orders* not to clear any Mexican vessel nationalized in this port.

As this measure, in case it is true, cannot but be irregular, I have the honor to bring it to your knowledge, that, in your character as representing the republic of Mexico, you may take the measures you think proper.

I present to you on this occasion the assurances of my consideration.

Independence, liberty, and reform!

JUAN N. NAVARRO.

C. MATIAS ROMERO, *Envoy Extraordinary and Minister Plenipotentiary of the Mexican Republic, at Washington.*

A copy:

F. D. MACIN,
Second Secretary of Legation.

WASHINGTON, *January* 15, 1865.

No. 2.

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,
Washington, January 18, 1865.

SIR: I have had the honor to receive the note which you were pleased to address to me on the 15th instant, in which you inform me that you have been apprised by the consul general of Mexico at the city of New York that express orders have been given to the custom-house authorities at that port not to clear any Mexican vessel nationalized in the United States, and that in virtue thereof the American schooner Prize, which had been legally nationalized under the Mexican flag, by the name of Dos Hermanos, was not permitted to leave said port.

In that connexion, you express some surprise at such a measure on the part of the government of the United States, and beg to be informed of the tenor of the orders issued relative to the matter, as you presume it to be in contravention of a right which unquestionably belongs to the agents of Mexico.

I have the honor, in reply, to state that this department is entirely without any information upon the subject other than that communicated by your note and the letter of the consul general of Mexico of the 14th instant, which accompanies it, but that it will take pleasure in transmitting copies of them to the honorable the Secretary of the Treasury for such explanations thereon as will enable you to communicate with your government and to instruct your consul general in the premises, and that upon their reception by this department they will be transmitted without delay to your legation.

I avail myself of this occasion to reiterate to you, sir, the assurances of my very distinguished consideration.

WILLIAM H. SEWARD.

Señor MATIAS ROMERO, *&c.*,
Washington, D. C.

No. 3.

Mr. Seward to Mr. Fessenden.

DEPARTMENT OF STATE,
Washington, January 20, 1865.

SIR: I have the honor to transmit to you the translation of a note received from Señor Matias Romero, the minister of Mexico, dated the 13th instant, with a copy of the enclosure referred to therein from Señor Navarro, the consul general of Mexico in New York, in reference to the refusal of the custom-house authorities at that port to clear any Mexican vessel nationalized in the United States.

I will thank you to communicate to this department such information respecting the subject of Mr. Romero's remonstrance as shall enable me to reply satisfactorily to his note.

I have the honor to be, sir, your obedient servant,

WILLIAM H. SEWARD.

Hon. WILLIAM P. FESSENDEN,
Secretary of the Treasury.

No. 4.

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,
Washington, January 30, 1865.

SIR: Referring you to my communication of the 18th instant, in reply to your note of the 15th present, in relation to the alleged refusal of the custom-house authorities at New York to clear Mexican vessels nationalized in the United States, I have the honor to enclose, for your information, copies of the letter of the honorable the Secretary of the Treasury of the 27th instant, to whom your note was submitted, and of the report of C. P. Clinch, esq., the assistant collector at New York, dated January 26th instant, to whom the matter was referred by the Treasury Department, and from which you will readily perceive that no instructions have been given by this government, and no refusal has ever been made at said custom-house, as those complained of by the captain of the Mexican schooner Dos Hermanos, formerly the American schooner Prize.

It is, therefore, evident that the report made to you by the consul general of Mexico in New York must have been predicated upon erroneous information derived from Captain Berretiaga of the Mexican schooner Dos Hermanos, which was actually cleared from New York on the 7th instant for Sisal, in Mexico.

I have the honor to renew to you, sir, the assurances of my very distinguished consideration.

WILLIAM H. SEWARD.

Señor MATIAS ROMERO, *&c.*,
Washington, D. C.

[Enclosure No. 1.]

TREASURY DEPARTMENT,
January 27, 1865.

SIR: I have the honor to transmit herewith the report made by the collector of New York in relation to the complaint made to you by the Mexican minister,

communicated in your letter to this department of 20th instant, "that the American schooner Prize, which has been legally nationalized under the Mexican flag by the name of Dos Hermanos, was not allowed to leave that port."

It will be seen from the collector's report that no delay of any sort took place in the clearance of said schooner.

With great respect,

W. P. FESSENDEN,
Secretary of the Treasury.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c.

[Enclosure No. 2.]

CUSTOM HOUSE, NEW YORK, COLLECTOR'S OFFICE,
January 26, 1865.

SIR: I have the honor to acknowledge the receipt of your letter of 25th instant, enclosing translation of a despatch of his excellency the Mexican minister to the honorable the Secretary of State of the United States, touching an alleged refusal of this office to grant clearances to Mexican vessels nationalized in this country, and have the honor to report that no instruction to refuse such clearance has ever been received by the collector from the departments of the government at Washington, nor from any other source; that no such refusal has ever occurred at this office; and that, in fact, the Mexican schooner Dos Hermanos, Berretiaga, master, was actually cleared without question, on the 7th instant, from this port for Sisal. It appears by our records that this Mexican schooner had formerly been the American schooner Prize.

The enclosures of your letter are herewith returned.

I am, &c.,

C. P. CLINCH, *Assistant Collector.*

Hon. W. P. FESSENDEN,
Secretary of the Treasury, Washington, D. C.

No. 5.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,
Washington, 31st of January, 1865.

MR. SECRETARY: Your note of yesterday, with the copy of the report of the acting collector of the port of New York to the Treasury Department, relating to the case of the schooner Dos Hermanos, has been received.

It appears from that report that no instructions have been received at that custom-house from any department of the government to prevent the clearance of vessels from that port under Mexican colors, and therefore the said schooner cleared and sailed for Sisal on the 7th instant, under the Mexican flag.

I regret that the untruthful report of Captain Berretiaga, of the said schooner, to the consul of the Mexican republic in New York, has caused me to trouble you for the truth of the case in my note of the 15th instant; and I will hasten to report to my government the satisfactory answer I have received, which puts an end to the affair.

I embrace the occasion to renew to you, Mr. Secretary, the assurances of my distinguished consideration.

M. ROMERO.

Hon. WILLIAM H. SEWARD *Secretary of State, &c.*

No. 33.

ARCHIVES OF THE MEXICAN CONSULATE AT MOBILE.

List of papers.

No. 1. Mr. Romero to Mr. Hunter, (with one enclosure)..... May 12, 1865
No. 2. Mr. Seward to Mr. Romero ..... Nov. 3, 1865.

No. 1.

Mr. Romero to Mr. Hunter.

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,
Washington, 12th of May, 1865.

MR. ACTING SECRETARY: I have the honor to transmit to you a copy of a note which the consul general of the Mexican republic in the United States has addressed to me, in relation to the purloining of the archives and of one of the seals of the vice-consulate of Mexico at Mobile by some malefactors, with the view that your department may be informed of the fact, and thus prevent the abuse which may be made of the documents and seal purloined.

I avail myself of this occasion to reiterate to you, sir, the assurances of my very distinguished consideration.

M. ROMERO.

Hon. WILLIAM HUNTER, *&c.*

[Enclosure No. 1.—Translation.]

CONSULATE GENERAL OF THE MEXICAN
REPUBLIC IN THE UNITED STATES,
New York, May 8, 1865.

The vice-consul of Mexico at Mobile informs me, under date of the 18th April last, that some malefactors have broken the locks of his office and carried off the archives and one of the seals of the vice-consulate.

And I have the honor to make it known to you in order that you may communicate it, should you think proper, to the Department of State, to prevent the misusage which may be made of the papers and seal which were purloined.

I renew to you, at the same time, the assurances of my most distinguished consideration.

JUAN N. NAVARRO.

The MINISTER PLENIPOTENTIARY
of the Mexican Republic in Washington.

A true copy:

F. D. MACIN,
Second Secretary of the Legation.

WASHINGTON, *May* 12, 1865.

No. 2.

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,
Washington, November 3, 1865.

SIR: I have the honor to acknowledge your communication of the 12th of May, 1865, with its enclosure to you from the consul general of the Mexican

communicated in your letter to this department of 20th instant, "that the American schooner Prize, which has been legally nationalized under the Mexican flag by the name of Dos Hermanos, was not allowed to leave that port."

It will be seen from the collector's report that no delay of any sort took place in the clearance of said schooner.

With great respect,

W. P. FESSENDEN,
Secretary of the Treasury.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c.

[Enclosure No. 2.]

CUSTOM HOUSE, NEW YORK, COLLECTOR'S OFFICE,
January 26, 1865.

SIR: I have the honor to acknowledge the receipt of your letter of 25th instant, enclosing translation of a despatch of his excellency the Mexican minister to the honorable the Secretary of State of the United States, touching an alleged refusal of this office to grant clearances to Mexican vessels nationalized in this country, and have the honor to report that no instruction to refuse such clearance has ever been received by the collector from the departments of the government at Washington, nor from any other source; that no such refusal has ever occurred at this office; and that, in fact, the Mexican schooner Dos Hermanos, Berretiaga, master, was actually cleared without question, on the 7th instant, from this port for Sisal. It appears by our records that this Mexican schooner had formerly been the American schooner Prize.

The enclosures of your letter are herewith returned.

I am, &c.,

C. P. CLINCH, *Assistant Collector.*

Hon. W. P. FESSENDEN,
Secretary of the Treasury, Washington, D. C.

No. 5.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,
Washington, 31st of January, 1865.

MR. SECRETARY: Your note of yesterday, with the copy of the report of the acting collector of the port of New York to the Treasury Department, relating to the case of the schooner Dos Hermanos, has been received.

It appears from that report that no instructions have been received at that custom-house from any department of the government to prevent the clearance of vessels from that port under Mexican colors, and therefore the said schooner cleared and sailed for Sisal on the 7th instant, under the Mexican flag.

I regret that the untruthful report of Captain Berretiaga, of the said schooner, to the consul of the Mexican republic in New York, has caused me to trouble you for the truth of the case in my note of the 15th instant; and I will hasten to report to my government the satisfactory answer I have received, which puts an end to the affair.

I embrace the occasion to renew to you, Mr. Secretary, the assurances of my distinguished consideration.

M. ROMERO.

Hon. WILLIAM H. SEWARD *Secretary of State, &c.*

No. 33.

ARCHIVES OF THE MEXICAN CONSULATE AT MOBILE.

List of papers.

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No. 2. Mr. Seward to Mr. Romero ..... Nov. 3, 1865.

No. 1.

Mr. Romero to Mr. Hunter.

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,
Washington, 12th of May, 1865.

MR. ACTING SECRETARY: I have the honor to transmit to you a copy of a note which the consul general of the Mexican republic in the United States has addressed to me, in relation to the purloining of the archives and of one of the seals of the vice-consulate of Mexico at Mobile by some malefactors, with the view that your department may be informed of the fact, and thus prevent the abuse which may be made of the documents and seal purloined.

I avail myself of this occasion to reiterate to you, sir, the assurances of my very distinguished consideration.

M. ROMERO.

Hon. WILLIAM HUNTER, *&c.*

[Enclosure No. 1.—Translation.]

CONSULATE GENERAL OF THE MEXICAN
REPUBLIC IN THE UNITED STATES,
New York, May 8, 1865.

The vice-consul of Mexico at Mobile informs me, under date of the 18th April last, that some malefactors have broken the locks of his office and carried off the archives and one of the seals of the vice-consulate.

And I have the honor to make it known to you in order that you may communicate it, should you think proper, to the Department of State, to prevent the misusage which may be made of the papers and seal which were purloined.

I renew to you, at the same time, the assurances of my most distinguished consideration.

JUAN N. NAVARRO.

The MINISTER PLENIPOTENTIARY
of the Mexican Republic in Washington.

A true copy:

F. D. MACIN,
Second Secretary of the Legation.

WASHINGTON, *May* 12, 1865.

No. 2.

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,
Washington, November 3, 1865.

SIR: I have the honor to acknowledge your communication of the 12th of May, 1865, with its enclosure to you from the consul general of the Mexican

republic, dated the 8th of the same month, relative to the robbery of the Mexican vice-consul's office at Mobile, Alabama, by some malefactors.

In reply, I beg to state that the proper measures will be adopted by this department to prevent the improper use of the seal and documents which were purloined from said office.

I have the pleasure to repeat to you, sir, the assurances of my high consideration.

WILLIAM H. SEWARD.

Señor MATIAS ROMERO, &c., *Washington, D. C.*

No. 34.

ASSISTANCE RENDERED BY MEXICAN TROOPS TO AUTHORITIES OF THE UNITED STATES ON THE FRONTIER.

List of papers.

No. 1. Mr. Romero to Mr. Seward, (with seven enclosures).... Mar. 25, 1865.
No. 2. Mr. F. W. Seward to Mr. Romero..... April 6, 1865.
No. 3. Mr. Romero to Mr. Seward, (with four enclosures)..... Feb. 18, 1866.
No. 4. Mr. Seward to Mr. Romero..... Mar. 12, 1866.

No. 1.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,
Washington, 25th of March, 1865.

MR. SECRETARY: I have the honor to transmit to you, for the information of the government of the United States, a copy of a note which I have received from the department of foreign relations of the Mexican republic, with the six documents annexed thereto, dated from the city of Chihuahua, January 31, last, in reference to the aid furnished by the authorities of the Presidio del Norte, in the State of Chihuahua, on the 20th and 21st of the previous December, to the citizens of the town which is opposite, and on the other side of the Rio Bravo, in the Territory of New Mexico, in the United States; which citizens, being without the public authority and force to protect them, asked for that assistance against a party of armed adventurers, without head or known flag, who committed robberies and other excesses in the invaded town.

I have received instructions from my government to apprise that of the United States of these events, with the object, both that it may be seen that there has been no irregular proceeding on the part of the authorities and citizens of the Presidio del Norte, and that the government of the United States may determine what it may deem proper in regard to that defenceless town.

I find no better means of complying with these instructions than that of transmitting to you copies of all the documents which I have received in reference to this same business.

This opportunity affords me the satisfaction of reiterating to you, Mr. Secretary, the assurances of my very distinguished consideration.

M. ROMERO.

Hon. WILLIAM H. SEWARD, &c.

[Enclosure No. 1.—Translation.]

No. 50] MINISTRY OF FOREIGN RELATIONS AND GOVERNMENT, NATIONAL PALACE,
Chihuahua, January 31, 1865.

I transmit you, hereunto annexed, six copies, relative to the assistance afforded by the authority at the Presidio del Norte, on the 20th and 21st of December last, to the citizens of the town which is opposite, and on the other side of the Rio Bravo, in the Territory of New Mexico, in the United States, whose citizens, being without the public authority and force to protect them, asked for this assistance against a party of armed adventurers, who were without chief or known flag, and who committed robberies and other excesses in the said town belonging to the United States.

You will be enabled to see in these copies all that the authority at the Presidio relates in reference to what has occurred on those days—what the government of the State of Chihuahua communicated, the terms of the communication which I also address to-day to Brigadier James H. Carleton, commanding the department of New Mexico, giving him, directly, information of the affair, as stated in the same.

The President has directed that these copies be sent to you in order that, after you shall have taken cognizance of all, you will be pleased to give notice of the case to the government of the United States in the proper terms, both that it may be seen that there has really been no irregular proceeding on the part of the authorities and people of the Presidio del Norte, and that it may determine what it may deem proper respecting that town of the United States.

I protest to you my great consideration.

LERDO DE TEJADA

Citizen MATIAS ROMERO,
Envoy Extraordinary and Minister Plenipotentiary of the Mexican Republic in Washington.

A true copy:

F. D. MACIN,
Second Secretary of the Legation.

WASHINGTON, *March* 25, 1865.

No. 1.

[Enclosure No. 2.—Translation.]

MEXICAN REPUBLIC—GOVERNMENT OF THE STATE OF CHIHUAHUA AND MILITARY COMMANDANCY—NO. 42.

I have the honor to accompany herewith to you copies of the communications which have been received from the president of the municipality of El Norte, relative to a passage-at-arms which took place between the people of El Norte and some American adventurers, in the event that there should arise any reclamation on the part of the federal American authorities.

Independence and liberty! Chihuahua, January 27, 1865.

ANGEL TRIAS.

Citizen MINISTER *for Foreign Relations and Government.*

A true copy:

JUAN VALDEZ, *Chief Clerk.*

CHIHUAHUA, *January* 31, 1865.

A true copy:

F. D. MACIN,
Second Secretary of Legation.

WASHINGTON, *March* 25, 1865.

No. 2.

[Enclosure No. 3.]

In compliance with your orders I countermarched from the Cañagrias, on the other shore of the Bravo, with the eighty-six men which you left under my command last night. This force being aware of your order, that if it were not possible to obtain, by means of a parley with the adventurers, the return of the chattels of which they had despoiled the citizens, then they should use the force of arms to bring them to answer before the president of the municipality, they stated that being satisfied that these people were nothing more than a band of robbers, as they had shown themselves to be, they would not surrender except through force, and that to enter upon explanations with them would be to give them room to gain advantages.

I made this known to you, requesting you, besides, to put some other person in command of that force, or that you yourself should remain in command, as they desired; and as you did not alter your determination first taken, you finally left me with the order to countermarch.

So soon as you quitted the force I found that the general discontent was greater, because they believed that it was the design to let the outrage and spoliation committed by the adventurers go unwhipped of justice. This circumstance made me avoid placing myself in front of the latter, who were encamped at the distance of a mile without having seen us, believing that thus I would avoid a compromise and disorder.

Persuaded that this measure was the one most proper for me to adopt, at two o'clock in the morning of this day I ordered the cavalry force to be mounted and to form the small force of infantry, and issued the order for a countermarch upon this presidio, and which I gave with the view of reaching by daylight the Tinoja de Leon, where we would be enabled to obtain water. Upon reaching said point I was informed that there were some stragglers, and I accordingly ordered a halt, that all might join us, and that large fires should be made as a signal to the stragglers, and to warm the men, as the cold was intense. I gave the order to unsaddle and secure the cavalry, and shortly after, when the day began to break, gave orders to form if they had all joined us. Suddenly we heard cries from the tops of the hills, from the citizen Atilano Machuca, who came to inform me that his followers were fighting with the adventurers; that they had killed three of them, and that one of the citizens was wounded, adding that all the citizens on the other side had been deprived of their arms and robbed by the adventurers. He also told me that upon seeing that the force was retiring without attacking the adventurers, the brothers and parents of the families who had been robbed had assembled, and had all resolved to go and reclaim from the said adventurers their arms, horses, and other chattels which they had stolen from their houses; that the adventurers, upon seeing them approach, had fired upon them, and that they were fighting. I immediately gave the order to saddle and prepared to march, as much to succor our brothers as to prevent further evils, and I advanced at full speed with some forty-six men, reaching the place of the contest at the moment when the adventurers, availing themselves of the advantage of their arms and of their good positions, and also of the small force against which they fought, were most eager in the fray. The moment they saw the force I was approaching with, they fled precipitately.

I asked the Mexicans who were fighting them who was the chief who commanded these citizens, and they replied that there was none, and that every one did the best he could. They informed me quickly of what had happened; that two of the adventurers and the citizen Gregorio Rodriguez had been killed. Without losing a moment I pursued them with the cavalry, firing upon them with the intention of detaining them, for the distance of from two and a half to

three leagues, when our horses gave out from exhaustion. When I found it was impossible to overtake them, I returned to the battle-field, where their transportation was found, the loose animals they brought with them; two mules and one horse wounded; an ox which they had killed, belonging to the citizen Nicolas Sanchez; two arms of those they had taken from the citizens, and two other arms, one a double-barrelled one. I had all this put together and caused an investigation to be held respecting those who had separated from the main force. The citizen Ieclo Muñoz was among the wounded. I caused the two adventurers to be buried; made an inventory of all that belonged to these, and ordered a forced march to prevent the decay of the body of Rodriguez, and to give an account of this unhappy occurrence as soon as possible from this place.

Of all of which I have the honor to inform you.

Independence, liberty, and reform! El Norte, January 21, 1865.

FRANCISCO ARZATE.

Citizen BENIGNO CONTRERAS,
President of this Municipality.

A true copy:

JUAN VALDEZ,
Chief Clerk.

A true copy:

F. D. MACIN,
Second Secretary of the Legation.

[No. 3.]

[Enclosure No. 4.—Translation.]

OFFICE OF THE PRESIDENT OF THE MUNICIPALITY OF NORTE.

Since the civil war began in the United States, and notwithstanding that this place is at so great a distance from the centre of the belligerent States, it has nevertheless suffered some damages caused by the frequent visits of bands of adventurers, or otherwise filibusters, who, having been dispersed from the forces of the confederates, come into the interior through this place in the direction of California, or go from that place to Texas; the said parties representing themselves some as introducers of cattle, some as immigrants into this republic, and others finally as commissioned by their government, as they have it understood through various foreigners, residents of this town, who, when properly denominated, are nothing more than the protectors of this class of freebooters; for whatever may be the mission of these latter, the truth is that on their withdrawal from this frontier they never fail to commit some injury, by robbing or provoking to some conflict, either in the town or in its vicinity, and of which occurrences the government of the State is informed; among other things, their coming from the other side to take from his house the inoffensive and honored Don Federico Huff to assassinate him, which caused a fight with arms between the citizens of this town and those who came over with that object from the other shore to this place.

On another occasion, when another band of this kind came into the interior of the republic, some ten or more of them remained in this town, and the American citizen Don Juan Broches being assisted by them, owing to some personal resentments against Don Eduardo Hall, they committed a scandalous offence, with

arms in their hands, by attacking the houses of several citizens, and in contempt of the laws of Mexico, their intention being to murder the said Hall, which they would have accomplished had he not taken refuge in the house of the chief authority of this place. The result of the conflict being the wounding by a gun-shot wound in the arm the wife of the citizen Aquilino Rodriguez, of which event a report was made to this government, (that of Chihuahua,) soliciting the posting of a force upon this frontier to prevent such disorders.

To this request the governor replied that he would grant it, and, furthermore, that he would solicit of the chief of the forces of the United States stationed on the line of the Paso del Norte to establish a force on the other side to prevent the abuses of these adventurers.

Besides the cases cited, I might mention many others which I omit, and pass on to report upon the one which has just occurred, and which is the following:

During this month there have arrived at this town from thirty to thirty-six Americans from California on their way to the State of Texas, passing through the State of Chihuahua. These, while passing through this town, bound for the other side, as other parties have likewise done, have been supplied by the house of Don Juan Broches with the necessary provisions and also with powder and some arms, which were also procured them by Don Juan Spence and other foreigners among the residents of this place. When once supplied with these resources, of which they were in need, they crossed to the other shore, and on the 20th of this month they raised a red flag in their camp, and began, shortly after, to attack and rob the Mexican citizens, who, from absolute necessity, reside there as the lessees of the farming lands of the American citizen Edward Hall, by surprising them in their houses and afterwards making them prisoners; while from others, after seizing their arms and horses, they demanded their keys, and, with brutal treatment of their families, they opened their trunks and chests, stealing therefrom all they wished. Such was the conduct pursued by these adventurers towards the said citizens, leaving them without arms and horses, and many even without the clothing belonging to their families.

These citizens, in view of the outrages which they suffered, both towards their families and in their property, and there being no authority whatever at that place from which to receive protection, relying solely upon that of Mexico, addressed themselves on repeated occasions to this presidency (municipality) urgently begging its assistance. Upon hearing of this the people became greatly excited. The threatening looks which I observed in all the inhabitants, and also the necessity of those who were suffering and soliciting the protection of my authority, these reasons, I say, compelled me to adopt a measure which, though in contravention of the laws, was to cross over personally the line, accompanied only by thirty-eight citizens which I selected from a larger number, who were officiously prepared, with the pure intention of rendering assistance and of preventing any disorder, relying confidently that the presenting myself with that force to the adventurers would be sufficient to prevent their depredations.

I selected to accompany me the American citizens, residing at this place, Messrs. John Spence and Joseph Bill, that these persons might witness my proceedings and serve me as interpreters with the adventurers, transmitting to them my views, and to prevent as far as possible any passage at arms which might be injurious to either republic. My request proved fruitless, and I could only prevail on Mr. Bill to accompany me, but Spence, however much I urged him, excused himself from frivolous pretexts. About one o'clock of that evening I began my march with the force alluded to, and upon presenting myself on the other shore I was informed that the adventurers had marched towards Alamo, and that they were being pursued by forty-five citizens who had assembled from the farms (ranchos) in the vicinity.

Upon learning this, I deemed it proper to hasten my march until I should

meet the pursuers and prevent any mishap, and which I accomplished by nightfall, halting at the mouth of the Cañagrias; and I determined to remain there that night, in order to assemble the citizens who had started from sundry points bound in the same direction. I successively sought the means of conciliating matters in so grave an affair. Just then I received a communication from the person to whom I had delegated my authority, in which he informed me that an express courier from the constitutional government of the nation had arrived, and that in order to supply him with the resources he needed my presence was indispensably required. In view of what I have stated, I left the citizen Francisco Arzate in command of the force, giving him the necessary instructions as to how he should proceed until his return to this place. He arrived to-day, and he reports to me, in writing, the occurrences which have taken place, the original of which report I enclose for the information of the governor, including the list of the effects retaken from the adventurers, which are in deposit until I receive the orders it may be deemed proper to communicate to me.

On making known to you what has occurred, I deem it my duty to say to you that this town is exposed to danger from a surprise by the disbanded forces which abandon the army of the south in disorder, and for which there are precedents upon which to found my fears. Among others, this danger has been announced by the accomplices in the crime for which Don Juan Brouches was tried, when he left for Texas.

I have no doubt that the governor, in view of all that has been stated, if it should not be possible for him to station an armed force in this town, or to obtain its establishment on the line by the United States, will, at least, endeavor to procure powder, lead, caps, &c., in order that it may of itself defend itself against any force which may attempt to invade it, for without this assistance it is exposed to suffer a thousand vexations.

All of which I have the honor, &c.,

BENIGNO CONTRERAS.

The Citizen GOVERNOR *of the State of Chihuahua, Chihuahua.*

A true copy:

JUAN VALDEZ,
Chief Clerk.

A true copy:

F. D. MACIN,
Second Secretary of the Legation.

WASHINGTON, *March* 25, 1865.

No. 4.

[Translation.—Enclosure No. 5.]

List of the effects which were retaken from the Americans who stole them from the citizens on the other shore of the Rio Grande:

Four fire-arms, two of these were stolen, and the other two are deposited at the municipality, one of which is a fire-arm; one scarf, one piece of dressed sheepskin, seven shirts, four Mexican zarapes, (women's shawls,) two India-rubber cloaks, nine valises of cloth and leather, four coats, three pantaloons, three pairs socks, one towel, one pair of shoes, four large bags, three tumblers, six metal plates, two frying pans, one large canteen, four pairs of horseshoes, one steel pot, one piece of linen, two bridles, one Mexican and one American; six pistol holsters, one knife-sheath, and twelve leather straps; one napkin, one tin basin, two saddle-trees, one American and the other Mexican; one Mexican saddle, one pack-saddle and accessories, one razor strop, four spoons, one empty powder

flask, three saddle blankets, one gilt book, one account book, one new book, (black,) one letter pouch, closed; one book with leather cover, 130 navy-pistol balls, one leather cap.

FRANCISCO AZARTE.

NORTE, *January* 22, 1865.

A true copy:

JUAN VALDEZ,
Chief Clerk.

A true copy:

F. D. MACIN,
Second Secretary of Legation.

WASHINGTON, *March* 25, 1865.

No. 5.

[Enclosure No. 6.—Translation.]

DEPARTMENT OF FOREIGN RELATIONS AND GOVERNMENT,
Chihuahua, January 31, 1865.

I have received your official communication No. 42, of the 27th instant, with the copies annexed of the communications which the president of the municipality of El Norte addressed to you, relative to a passage-at-arms which took place on the 21st of the previous December on the other side of the Rio Bravo, (Grande,) in the Territory of New Mexico, belonging to the United States of America, owing to the fact that a party of armed men, without a leader or known flag, had committed robberies and other excesses in the town which is opposite the Presidio del Norte, on the other side of the river, within the territory of the United States, and whose citizens, having neither any authority nor a force to afford them protection, asked assistance from the authority and citizens of the Presidio del Norte, with which succor they subsequently pursued and defeated the said party of armed men.

The President of the republic having been informed of all this, has instructed me to say to you, in reply, that as you must already have given the proper instructions to its authority to guard against, as far as possible, the dangers that the people of the Presidio del Norte may suffer some injury, as indicated by the president of its municipality, and in order that the effects which were abandoned by the adventurers may be kept in deposit, to be returned in due season to whomsoever they may belong, they giving the proper evidence of ownership; and as the president of the Presidio del Norte makes known that he is well aware of his duty not to carry into effect any improper measure on the other side of the river, within the territory of the United States, the government limits itself to recommending to you to be pleased to charge upon the authority of the Presidio del Norte to comply always with that duty; and that if the case should again occur that, owing to the want of an authority and force to protect the citizens of the town situated on the other side of the river, and the said citizens should again seek his aid against any party of armed criminals, he shall limit himself to give them the said assistance as a duty of humanity and good neighborliness, when this shall be absolutely necessary, and for this sole purpose to defend themselves against armed criminals, having a care at all times that no improper act be committed, and that there be given no cause of complaint from the authorities of the United States, and refusing to give such succor whenever any authority of the said United States shall make it known that it does not deem them proper.

This department communicates what has occurred to the legation of the

republic in Washington, that it may bring the same to the notice of that government; and at the same time, in consequence of the delay which might occur in its reaching thus its notice, owing to the actual state of affairs, I also communicate it directly to Brigadier General James H. Carleton, the commander of the department of New Mexico, at Santa Fé, that he may have the due knowledge of the facts, and that he may determine whatever he may think proper for the security of the said town within the United States.

Independence and liberty!

LERDO DE TEJADA.

The Citizen GOVERNOR AND MILITARY COMMANDER
of the State of Chihuahua.

A true copy:

JUAN VALDEZ,
Chief Clerk.

A true copy:

F. D. MACIN,
Second Secretary of Legation.

WASHINGTON, *March* 25, 1865.

[Enclosure No. 7.—Translation.]

No. 6.

DEPARTMENT OF FOREIGN RELATIONS AND GOVERNMENT,
National Palace, Chihuahua, January 31, 1865.

SIR: I have the honor to send you a copy of the communication which was addressed to me by the governor and military commander of the State of Chihuahua, dated the 27th of this month, marked No. 1; three other copies of the documents which the said governor transmitted to me, sent to him by the municipal authority of the Presidio del Norte, a town in the State of Chihuahua, one of which is dated the 21st, and two dated the 22d of December last, which copies are marked Nos. 2, 3 and 4; and also another copy, marked No. 5, of the communication which I have this day addressed to the said governor.

It is stated in those documents that a party of armed criminals, without leader or known flag, committed robberies and other excesses on the 20th day of last December, in the town which is situated opposite the Presidio del Norte, on the other side of the Rio Bravo, within the Territory of New Mexico, belonging to the United States; that the citizens of that town, being without the authority and public force to protect themselves, asked assistance from the authority and citizens of the presidio; that this authority and its citizens, impelled thereto by sentiments of humanity and good neighborliness, gave them this assistance, with that of some armed citizens of the presidio; that the said authority, impressed with the duty of not executing any irregular act within the territory of the United States, restricted itself to the giving of the assistance solicited, by prudently endeavoring to recover for them the effects stolen by this party of armed men, without the necessity of coming to a conflict with them; and that, notwithstanding, from the incidents which are explained by the same authority, a conflict nevertheless took place, on the 21st of December, with those armed men, who finally fled, abandoning sundry effects, which are now in deposit and are specified in the inventory enclosed with the documents.

Although it does not appear that the authority and citizens of the presidio committed on this occasion any unlawful acts, nevertheless the government of the republic has deemed it proper that the government of the State of Chihuahua should again impress upon the authorities of the presidio to be careful always to act in the most prudent and lawful manner, by not doing itself, nor permitting

to be done by the citizens of the presidio, anything that might give cause of complaint from the authorities of the United States.

You will see in the copy of my communication, dated this day, to the governor of Chihuahua, the terms in which the government of the republic has made that recommendation to him. I also state in it, that besides communicating everything to the legation of the Mexican republic in Washington, that it may give information of those facts to the government of the United States, I would communicate them to you directly, as I now do, fearing that from circumstances there be some delay in my communications reaching Washington, and desiring in this manner to inform you of what the government of the republic has learned respecting the occurrences referred to, that you may be enabled to determine what you may deem proper in reference to the town of the United States which is opposite the Presidio del Norte.

I avail myself of this opportunity, sir, to protest to you all the consideration with which I am your attentive and obedient servant,

LERDO DE TEJADA,

His Excellency JAMES H. CARLETON,
Brigadier General, Commanding the Department of New Mexico, Santa Fé, New Mexico.

A true copy:

JUAN VALDEZ, *Chief Clerk.*

A true copy:

F. D. MACIN,
Second Secretary of the Legation.

WASHINGTON, *March* 25, 1865.

No. 2.

Mr. F. W. Seward to Mr. Romero.

DEPARTMENT OF STATE,
Washington, April 6, 1865.

SIR: I have the honor to acknowledge the receipt of your excellency's note of the 25th of March last, together with the papers thereunto annexed, by which I am informed of the transaction which occurred on the 20th and 21st of December last, at the town in New Mexico which is opposite to the Presidio del Norte, in the State of Chihuahua, and of the proceedings taken on that occasion by the government of Mexico.

The outrages which were committed by vagrants at the place mentioned are deplored, and it is regretted that no military force adequate to protect our citizens was found there. It is expected that in due time we shall have a report of the transaction in question from the United States military commandant in New Mexico. Until that time I must reserve any definite expression of opinion upon the subject.

It gives me pleasure, however, in the mean time, to say that this government appreciates the candor and good will which the Mexican government has exercised in directing the explanations which you have submitted to me. The attention of the proper department of this government has been directed to the condition of the frontier, with the expectation that order will be re-established there, with security to life, property, and international tranquillity.

I avail myself of this opportunity to renew to you, sir, the assurances of my very distinguished consideration.

F. W. SEWARD,
Assistant Secretary.

Señor MATIAS ROMERO, *&c., Washington, D. C.*

No. 3.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION TO THE UNITED STATES OF AMERICA,
Washington, 18th of February, 1866.

MR. SECRETARY: I have the honor to transmit to you the copy of a communication I have received from Mr. Lerdo de Tejada, minister of foreign relations of the Mexican republic, dated the 18th of January last, in Paso del Norte, marked No. 14, and annexed documents, from which it appears that Captain D. H. Brotherton, of the United States army, commanding at Fort Bliss, Texas, asked permission of the President of the Mexican republic, in the name of Colonel Edward E. Willis, commander of an expedition against the Apache Indians, and General James H. Carleton, commander of the district of New Mexico, to pass with his troops into Mexican territory, in case of necessity, in pursuit of the hostile Indians.

It appears from the same documents that the President of the Mexican republic granted the permission.

In communicating these facts to you as a new proof of the sentiments of friendship that animate the Mexican government towards the United States, it is pleasant to accept the opportunity that offers of renewing to you, Mr. Secretary, the assurances of my most distinguished consideration.

M. ROMERO.

Hon. WILLIAM H. SEWARD, *&c.*

[Enclosure No. 1.]

DEPARTMENT OF FOREIGN RELATIONS AND GOVERNMENT.—OFFICE OF RELATIONS.—AMERICAN SECTION.—NO. 14.

PASO DEL NORTE, *January* 18, 1866.

I send you a copy and translation of a communication addressed to me yesterday by Captain D. H. Brotherton, commander at Fort Bliss, Texas, stating that Colonel Edward B. Willis, commander of an expedition against the Apache Indians, at Fort Selden, New Mexico, had directed him, by order of the commander of the district, General James H. Carleton, to request permission from the President of the Mexican republic to pass with his troops into Mexico across the division line, in case of necessity, in pursuit of the hostile Indians.

I also enclose you copies of the communications sent to-day to Colonel Willis and Captain Brotherton, informing them that the President had granted the permission.

I communicate this to you for your information, and that you may make it known to the Department of State of the United States.

Accept the protests of my attentive consideration.

LERDO DE TEJADA.

Citizen MATIAS ROMERO,
Envoy Extraordinary and Minister Plenipotentiary of the Mexican Republic in Washington, D. C.

A true copy:

IGNO. MARISCAL, *Secretary.*

WASHINGTON, *February* 18, 1866.

[Enclosure No. 2.]

MINISTERIO DE RELACIONES ESTERIORES Y GOBERNACION.

HEADQUARTERS FORT BLISS, TEXAS,
January 17, 1866.

SIR: I have the honor to state that I have received a communication from Colonel Edward B. Willis, first New Mexican infantry United States volunteers, commanding expedition against Apache Indians at Fort Selden, New Mexico, in which, by direction of the district commander, General James H. Carleton, United States army, he requests me to obtain from his excellency President Juarez permission to pass over the line into Mexico with his troops, in case it should become necessary, when in pursuit of hostile Indians, who commit depredations alike on the people of both countries.

If this application should meet with the approval of his excellency the President, will you be kind enough to forward me the authority asked for at as early a moment as practicable?

I have the honor to be, with great respect, your obedient servant,

D. H. BROTHERTON,
Capt. 5th Inf. U. S. A., Com'dg Reg't and Fort.

Hon. SEBASTIAN LERDO DE TEJADA,
Minister of Foreign Affairs and of Government,
Republic of Mexico, Paso del Norte, Mexico.

Es copia:

JUAN VALDEZ.

PASO DEL NORTE, *Enu* 18 *de* 1866.

Es copia:

IGNO. MARISCAL, *Secretary.*

WASHINGTON, *Febrno* 18 *de* 1866.

[Enclosure No. 3.]

MEXICAN REPUBLIC.—SEAL OF THE DEPARTMENT OF FOREIGN RELATIONS AND GOVERNMENT.

PASO DEL NORTE, *January* 18, 1866.

SIR: Captain D. H. Brotherton, of the fifth United States infantry, commander at Fort Bliss, Texas, informed me in his communication yesterday that you, as commander of the expedition against the Apache Indians, at Fort Selden, New Mexico, and by order of the commander of the district, General James H. Carleton, of the United States army, had asked permission of the President of the Mexican republic to pass over the boundary line with your troops into Mexican territory, in case of necessity, to pursue the hostile Indians.

The government of the Mexican republic does not doubt that General Carleton ordered you to ask this permission, as he has command of the campaign against the Apaches; and if he waited for instructions from Washington upon the subject, the great distance might cause a delay injurious to military operations; therefore, the government of Mexico finds no inconvenience in granting the permission, in consideration of the friendly relations existing between the two republics, and knowing it is a campaign against hostile Indians that are committing depredations to the injury of both countries.

For these reasons, the President of the Mexican republic has charged me to say to you in this communication that you may have the permission to pass the

boundary line into Mexican territory with your troops, in case it may be necessary to pursue the Apache Indians, in the expedition you command against them.

Your most respectful and obedient servant,

S. LERDO DE TEJADA.

EDWARD B. WILLIS,
1st U. S. Vol. Inf. in New Mexico, Commander of the Expedition against the Apache Indians, Fort Selden, New Mexico.

A true copy:

IGNO. MARISCAL, *Secretary.*

WASHINGTON, *February* 18, 1866.

[Enclosure No. 4.]

MEXICAN REPUBLIC.—SEAL OF THE DEPARTMENT OF FOREIGN RELATIONS AND GOVERNMENT.

PASO DEL NORTE, *January* 18, 1866.

SIR: I received your communication of yesterday, informing me that Colonel Edward B. Willis, of the first United States volunteer infantry of New Mexico, commanding the expedition against the Apache Indians at Fort Selden, New Mexico, had directed you, by order of the commander of the district, General James H. Carloton, of the United States army, to request permission of the President of the Mexican republic to allow you to pass the boundary line with your troops into Mexican territory, if necessary, in pursuit of those hostile Indians.

The President of the republic has no objection to grant the permission, and so expresses himself in the annexed communication to Colonel Willis, which I send unsealed, that you may see its contents.

Your most respectful and obedient servant,

S. LERDO DE TEJADA.

Captain D. H. BROTHERTON,
5th Reg't U. S. Inf., Commander at Fort Bliss,
Fort Bliss, Texas.

True copies:

JUAN VALDEZ,
First Officer.

PASO DEL NORTE, *January* 18, 1866.

A true copy:

IGNO. MARISCAL, *Secretary.*

WASHINGTON, *February* 18, 1866.

No. 4.

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,
Washington, March 13, 1866.

SIR: I have the honor to acknowledge the receipt of your note of the 18th ultimo, with its four enclosures, which have reference to the permission granted by President Juarez to the officers of the United States army commanding in Texas and New Mexico to pass their forces through Mexican territory in pursuit of hostile Indians.

You will oblige me by making known to your government the appreciation which is entertained by the United States for this friendly manifestation on the part of the very worthy executive of the Mexican republic.

You will be pleased to accept, sir, the assurances of my very distinguished consideration.

WILLIAM H. SEWARD.

Señor MATIAS ROMERO, &c., *Washington, D. C.*

No. 35.

MEXICAN OFFICERS AT NEW ORLEANS, &c.

List of papers.

No. 1. Mr. Romero to Mr. Seward ..... Nov. 23, 1864.
No. 2. Mr. Seward to Mr. Romero ..... Dec. 2, 1864.
No. 3. Mr. Seward to Mr. Stanton ..... Dec. 2, 1864.
No. 4. Mr. Seward to Mr. Welles ..... Dec. 2, 1864.
No. 5. Mr. Seward to Mr. Romero, (with one enclosure) ..... Dec. 30, 1864.
No. 6. Mr. Romero to Mr. Seward ..... Dec. 31, 1864.
No. 7. Mr. Romero to Mr. Seward, (with one enclosure) ..... June 3, 1865.
No. 8. Mr. Seward to Mr. Romero ..... Nov. 4, 1865.

No. 1.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,
Washington, 23d of November, 1864.

MR. SECRETARY: Colonel Don Cosme Varela, of the Mexican army, who was among the officers made prisoners at Puebla and sent to France, and who ranks those who have recently arrived at New York, on their return to the republic, (Mexico,) informs me that upon his arrival at the mouth of the Rio Bravo, with the intention of going to Monterey, *via* Matamoras, with sixteen of his companions, to join the Mexican government, he found that port blockaded by French forces, and he solicited the protection of the commander of the United States war-steamer Itasca, which was then in those waters, to avoid their falling into the power of the enemy. The commander of said steamer graciously received the officers referred to and conducted them to Brazos de Santiago. Matamoras having shortly after fallen into the hands of the French, and the government having evacuated Monterey, they were unable to enter the republic through the frontier. Colonel Day, of the United States army, received them at Brazos, and during the twenty-three days they remained there he gave them the same rations as those which he issued to his soldiers, and finally secured them a passage to New Orleans.

Not finding at this port facilities or means to continue their journey to the republic of Mexico, they determined to come to New York; and, in order to arrange their transportation, they presented themselves in New Orleans to Major General Hurlbut, of the department of the Gulf, and to Colonel Robinson, the provost of the same department, from whom they received the most polite attentions, and by whom they were sent to New York in the United States transport Continental.

Colonel Varela has requested me, in his name and in that of his companions, to manifest to the government of the United States their acknowledgments for the generous assistance they have received from these worthy officers of the United States army, to whom they have had to recur during the journey they undertook to return to their country, there to continue in the discharge of their duties as soldiers and Mexicans.

Upon making known to you the gratitude of said officers, I deem it my duty to express to you that which animates me in view of so generous a proceeding, which I have no doubt will be duly appreciated by my government, to whom, by the first opportunity, I shall have the satisfaction of communicating it.

I avail myself, with pleasure, of this opportunity to reproduce to you, Mr. Secretary, the assurances of my most distinguished consideration.

M. ROMERO.

Hon. WILLIAM H. SEWARD, &c.

To the Editor of the New York Tribune:

SIR: I beg you to have the goodness to insert in the newspaper under your charge the following lines, which I have the honor of submitting to you:

On the 15th of October last I arrived at New Orleans in company with seventeen officers of the Mexican army. These gentlemen and myself had just arrived from France, where we had been taken as prisoners of war after the occupation, by the French army, of the city of Puebla, in the Mexican republic, on the 17th of May, 1863. Our coming to New Orleans had for its object to procure for ourselves the means of returning to our country, since the government of France, on setting us at liberty, according to the treaties of Miramar, on the 10th of April ultimo, failed to give us such assistance as we needed for our return to Mexico. Thus, in order to overcome the di tance there is between that country and this, it has been necessary to remove the obstacles that are usually encountered by persons who, like ourselves, have been in foreign countries, and have found ourselves destitute of the resources necessary for a long and expensive voyage.

A few days after our arrival at New Orleans, and after having received hospitality and also very important services from Mr. George Brotem, commander of the American steamer Itasca, and from Mr. Dery, colonel and commander of Brazos Santiago, for the protection of the aforesaid officers, which I solicited, as soon as I made known in New Orleans to Major General Hurlbut, Mr. Harry Robinson, and Provost Marshal General, the history of my troubles while in prison, the events of our return from France to this republic, the trying and difficult position in which we found ourselves, the great desire that we had to return to our native land and be of service to our country as well as to our families, and lastly the utter impossibility in which we were, not only to realize that wish of our hearts, but that we lacked every resource to defray the necessary expenses of our daily support, on the 20th instant I addressed a statement to the minister plenipotentiary of Mexico at Washington, and among other things I informed him of the humane and important services which we had received from the American officers already mentioned, and I begged him to thank the great American government in behalf of Mexico, for the hospitality tendered to us by the aforesaid gentlemen.

I entreated those generous officers to continue to extend to us the protection which, out of consideration to humanity and to misfortune, we had already received from the commanders of Brazos de Santiago and of the Itasca. Messrs. General Hurlbut and Colonel Robinson, with the most gentlemanly generosity, procured for me and my ten companions our passage on board the steamer Continental, which brought us to this city, where there is greater probability than

in New Orleans that we may be able to find means to return to Mexico. Besides all this, we are indebted to the great kindness of Colonel Robinson for the sum of $672, this being the amount of our actual expenses up to the 9th of the present month, when seventeen of us arrived at New Orleans.

The above statement has been made to discharge, in part, our debt of gratitude toward the persons who have thus opportunely favored us with so much kindness; and it seems to us peculiarly befitting that such a statement should be made public, both on account of the honor which it reflects on those officers, and on the government whose useful and honored servants they are, and also because the painful position in which we were placed by the actual position of our country makes it impossible for myself and for my companions to express our gratitude in any other way. The recollection of those services will be as lasting in our memories as will be that of the events which have procured to us the good fortune of becoming acquainted with those gentlemen, and of being the recipients of their valuable services.

Being the organ of my companions to express their sentiments, there remains nothing more for me to do except to give you sincere thanks for the publication of this article, and to offer to you the expression of my respect, and to assure you that I remain your very obedient servant,

C. VARELA,
Colonel Mexican Army.

NEW YORK, *November* 24, 1864.

No. 2.

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,
Washington, December 2, 1864.

SIR: I have the honor to acknowledge the receipt of your note of the 23d ultimo, in which you are pleased to convey the acknowledgments of Señor Colonel Don Cosme Varela and those of sixteen other officers of the Mexican army, who accompanied him, for the protection, services and kind attention extended to them by the commanding officers of the army and navy of the United States on the Rio Grande, at Brazos Santiago and New Orleans, while endeavoring to make their way into Mexico, via Matamoras, on their return from France, where they had been held as prisoners of war since the fall of the city of Puebla.

To these expressions of the gratitude of those officers of the Mexican army you have been pleased also to add your own recognition of the "generous proceeding" of those American officers on the occasion referred to, and which you inform me you do not doubt will be duly appreciated by your government, to whom it is your purpose to communicate it at an early day.

In reply, it gives me much pleasure to assure you that the acknowledgments of Señor Colonel Varela and those of his companions thus tendered, through their worthy and distinguished representative, to the officers of the United States, for acts which the dictates of courtesy and friendly assistance demanded from them, are deemed highly satisfactory to this government, and that I shall communicate to the Secretaries of War and Navy of the United States a copy of your note, in translation, with the request that they make known to the officers of the United States, at the places above named, the high and grateful sense which Colonel Varela and his companions entertain of the friendly services and attentions rendered to them.

It is gratifying to me to avail myself of this opportunity to renew to you, sir, the assurances of my very distinguished consideration.

WILLIAM H. SEWARD.

Señor MATIAS ROMERO, *&c., Washington, D C.*

No. 3.

Mr. Seward to Mr. Stanton.

DEPARTMENT OF STATE,
Washington, December 2, 1864.

SIR: I have the honor to enclose to you a copy of a note, in translation, from Señor Romero, the minister of Mexico, under date of the 23d of November, and will thank you to convey to the officers of the United States army therein referred to the acknowledgments of Colonel Varela and his companions, of the Mexican army, and their appreciation of the courtesies and attentions recently extended to them by said United States officers.

I have the honor to be, sir, your obedient servant,

WILLIAM H. SEWARD.

Hon. EDWIN M. STANTON, *Secretary of War.*

No. 4.

Mr. Seward to Mr. Welles.

DEPARTMENT OF STATE,
Washington, December 2, 1864.

SIR: I have the honor to enclose to you a copy, in translation, of a note from Señor Romero, the minister of Mexico, under date of the 23d of November, and will thank you to convey to the commander of the United States war steamer Itasca the acknowledgments of Colonel Varela and his companions, of the Mexican army, and their appreciation of the courtesies and attentions recently extended to them by the officer commanding that vessel.

I have the honor to be, sir, your obedient servant,

WILLIAM H. SEWARD.

GIDEON WELLES, *Secretary of the Navy.*

No. 5.

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,
Washington, December 30, 1864.

SIR: Referring to your note of the 23d November last, and to my reply to the same, of the 2d instant, I have now the honor to enclose to you a copy of a letter from the honorable the Secretary of the Navy, dated the 8th instant, from which you will learn that your request to communicate the thanks of Colonel Varela and his companions to the commanding officer of the United States steamer Itasca, for courtesies extended to those officers of the Mexican army, has been complied with on the part of the Navy Department.

I avail myself of this occasion to renew to you, sir, the assurances of my high consideration.

WILLIAM H. SEWARD.

Señor MATIAS ROMERO, *&c., Washington, D. C.*

[Enclosure.]

NAVY DEPARTMENT, *December* 8, 1864.

SIR: I have the honor to acknowledge the receipt of your letter of the 2d instant, enclosing a copy of a note from Señor Romero, the Mexican minister, expressing thanks for courtesies extended by the commanding officer of the United States steamer Itasca, to Colonel Varela and companions, of the Mexican army, and to inform you that copies of the same have been transmitted to Rear-Admiral Farragut for communication to the commanding officer of the Itasca.

Very respectfully, &c.,

GIDEON WELLES,
Secretary of the Navy.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

No. 6.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,
Washington, 31st of December, 1864.

MR. SECRETARY: I have had the honor of receiving the note which you was pleased to address to me with yesterday's date, transmitting to me the copy of a communication to your department from the Hon. Secretary of the Navy, dated the 8th instant, saying that Rear-Admiral Farragut had transmitted to the commander of the United States steamer Itasca the thanks of Colonel Varela and his companions, of the Mexican army, for the attention shown them by the commander of the steamer, which thanks I had the honor to transmit to your department in my note of the 23d of November last. With many thanks for the prompt communication of this information, I take the occasion of repeating to you, Mr. Secretary, the assurances of my most distinguished consideration.

M. ROMERO.

Hon. WILLIAM H. SEWARD, *&c.*

No. 7.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,
Washington, 3d of June, 1865.

MR. SECRETARY: I have the honor of informing you that I transmitted, on the first favorable opportunity, to my government, your notes to me of the 2d and 30th of December last, in reply to my communication of the 23d of November previous, in relation to the kind attentions paid to several officers of the Mexican army by officers of the army and navy of the United States.

I received a communication to-day from Mr. Lerdo de Tejada, minister of foreign affairs of Mexico, dated in Chihuahua the 21st of April last, saying that the President of the Mexican republic thanks you, in reference to the same incident, for the generous benevolence of your officers toward the Mexican officers, and

requesting me to say to you that the expressions of friendly consideration in your note of 2d of December last is another motive of gratitude for the Mexican republic.

I cannot better obey my instructions than by enclosing to you, as I do, a copy of the said communication from Mr. Lerdo de Tejada.

I take this occasion of renewing to you, Mr. Secretary, the assurances of my distinguished consideration.

M. ROMERO.

Hon. WILLIAM H. SEWARD, *&c.*

[Enclosure.]

No. 134.] MINISTRY OF FOREIGN AFFAIRS AND GOVERNMENT,
National Palace, Chihuahua, April 21, 1865.

Your notes of the 2d and 31st of December, numbered 308 and 327, with the acompanying documents, relative to Colonel Cosme Varela and ten other Mexican chiefs and officers, who were taken prisoners at Puebla and sent to France, whence they returned to the port of Matamoras, in last September, when that port was in possession of the French, has filled the President with much gratitude towards the American government and its officers.

The President has been informed that Colonel Varela and his ten companions were received and entertained in the port of Matamoras by the commander of the United States steamer Itasca, on which they went to Brazos Santiago, where they were welcomed by Colonel Day, of the United States army, who entertained them twenty-three days and then took them to New Orleans. There they were graciously received by Major General Hurlbut, of the United States army, and Provost Marshal Robinson, and sent on their way to New York.

Although you have already expressed due thanks for these acts of kindness, the President of this republic requests you to thank anew the Hon. Mr. Seward for the benevolent attentions paid to our officers by officers in the army and navy of the United States, and to say to him that his expressions of friendship in his note to you of 2d December, on this subject, is another motive for gratitude on the part of the government of the Mexican republic.

Be assured of my attentive consideration.

LERDO DE TEJADA.

C. MATIAS ROMERO,
Minister Plenipotentiary of the Mexican Republic in Washington.

True copy:

F. D. MACIN.
Second Secretary of the Legation.

WASHINGTON, *June* 3, 1865.

No. 8.

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,
Washington, November 4, 1865.

SIR: I have the honor to acknowledge the receipt of your note of June 3, 1865, enclosing a copy of a despatch addressed to you on the 21st of April last by Señor Lerdo de Tejada, the minister for foreign affairs of Mexico, in which

you are instructed to communicate to this government the thanks of the President of the Mexican republic for the attentions and civilities extended to Colonel Cosme Varela and other officers of the Mexican army, by the officers of the army and navy of the United States stationed at Matamoras, Brazos Santiago, New Orleans, and New York, on the occasion of the return of the former from France, where they had for some time previously been held as prisoners of war.

It is most gratifying to me to state that these attentions and civilities were extended by the officers of the United States in pursuance of their high sense of the courtesies due, in similar cases, to the officers of a sister republic, with whom their government desires to maintain intact those relations of amity which have hitherto existed between the two countries.

You will be pleased to accept the assurances of my high consideration.

WILLIAM H. SEWARD.

Señor MATIAS ROMERO, &c., *Washington, D. C.*

No. 36.

THE CASE OF JOSEPH LEATON.

List of papers.

No. 1. Mr. Romero to Mr. Hunter, (with seven enclosures) ... April 20, 1865.
No. 2. Mr. Romero to Mr. Hunter, (with two enclosures) ..... May 2, 1865.
No. 3. Mr. Seward to Mr. Romero ..... Nov. 2, 1865.
No. 4. Mr. Romero to Mr. Seward ..... Nov. 5, 1865.

No. 1.

Mr. Romero to Mr. Hunter.

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,
Washington, 20th of April, 1865.

MR. ACTING SECRETARY: I have the honor to transmit to you copies of two notes which I have received from my government, and of the documents annexed to them, dated at the city of Chihuahua on the 11th and 15th of February last, and numbered 67 and 68. Both of them refer to the case of the Mexican citizen José Leaton, who, supposing himself to be an influential person in some of the counties of the State of Chihuahua, obtained the authority of the Mexican government to raise volunteers within the limits of the said State. It having subsequently become known that Leaton was a man of bad antecedents, and that, abusing the authority given him, he was inciting the soldiers of the United States in Franklin, Texas, to desertion, the government of the republic immediately ordered the said authority to be withdrawn, and to revoke the appointment which it had conceded to him of major of cavalry. All these matters you will find referred to in detail in the copies herewith enclosed.

On complying with the instructions of my government to communicate these facts to that of the United States, I do not doubt that the commendable disposition of the former, not to permit anything to be done which may in any manner diminish the friendly relations which happily subsist between the two countries, will be duly appreciated and reciprocated by the government of the United States.

I avail myself of this opportunity to renew to you, Mr. Secretary, the assurances of my most distinguished consideration.

M. ROMERO.

Hon. WILLIAM HUNTER, &c.

[Enclosure No. 1.]

No. 67.] DEPARTMENT OF FOREIGN AFFAIRS AND GOVERNMENT,
National Palace, Chihuahua, February 11, 1865.

I send you copies of the communication which has been addressed to me by the war department, of that which was there received from the governor of the State of Chihuahua, and of the answer which was given to him in reference to the complaints made against the citizen José Leaton, who was recently authorized by the war department itself with the view to raise a force of volunteers.

The authority was given to him being entirely unadvised that there were unfavorable antecedents against him. Besides, the authority was given simply with the view of enrolling volunteers within the territory of the State of Chihuahua, Leaton having stated that he had resided for a considerable time in some of the counties of the same State, and that he could raise volunteers among the natives or residents of said counties. You will perceive by the documents which I transmit that, upon the first intimation of the antecedents of Leaton, and of the abuses which are now attributed to him, the government at once took the most efficient measures, both to remedy the wrongs he might have caused, as also to remove every occasion for his causing others, by withdrawing from him the authority referred to.

The consul of the United States in this city, who came to see me upon the matter the day before yesterday, and whom I informed of what the President had, in my presence, directed through the war department on the day previous, stated to me that he had made up his mind to come and see me, and afterwards of addressing me an official note in reference to the affair, but that probably he would not do so now, as he was fully satisfied of the justice and efficiency of the measures adopted by the government. He added that he would write to that effect the same day to the commanding officer at Fort Franklin, telling him at the same time that the omission on the part of said commander not to send him any documents to prove the desertions of the Americans whom it has been presumed were enticed by Leaton, was the only reason why he, the consul, had thought, before his conversation with me, that he ought not to request that any proceedings should immediately be commenced against them, even though he might have some private information respecting some who were deserters. The President has instructed me to communicate this matter to you that you may inform the government of the United States thereof, to the end that our wishes to preserve the harmony and good relations which exist between the two countries may be known at Washington.

I offer to you my very distinguished consideration.

LERDO DE TEJADA.

Citizen MATIAS ROMERO,
Envoy Extraordinary and Minister Plenipotentiary of the Mexican Republic in Washington.

A true copy:

IGNO. MARISCAL, *Secretary.*

WASHINGTON, *April* 20, 1865.

No. 1.

[Enclosure No. 2 —Translation.]

WAR AND NAVY DEPARTMENT.

By direction of the President, and for the ends that may be proper, I have the honor to transmit to you a copy of the communication which this department

has addressed to the military commander of this State, inserting the accusation made against the commandant of squadron, José Leaton, by the authority of the district of Bravos, and a copy of the reply given to it by this department.

I offer to you on this occasion my consideration and esteem.

Independence and liberty! Chihuahua, February 8, 1865.

In the absence of the minister,

ANASTACIO ARANDA,
Chief Clerk.

The MINISTER *of Foreign Relations and Government.*

A true copy:

JUAN VALDEZ.

A true copy:

IGNO. MARISCAL, *Secretary.*

WASHINGTON, *April* 20, 1865.

No. 2.

[Enclosure No. 3.—Translation.]

GOVERNMENT AND MILITARY COMMANDANCY OF THE STATE OF CHIHUAHUA.—NO. 58.

The civil chief of the district of Bravos, under date of the 2d instant, says to this government what follows:

"By your superior official note of the 16th of January last past, I am informed of the appointment of commandant of squadron which the general, minister of war, has conferred upon José Leaton, which is so recognized in this county. It only remains to me to make known to you that as there now exist against this person some charges made by sundry citizens of this place, in consequence of some robberies which he committed here in December, 1859, the cause for which is even now pending before the judicial authorities of this city, I can do no less than bring it to your notice for the information of the governor. You will also be pleased to inform him that I have suspended all proceedings against that individual, notwithstanding sundry remonstrances from the parties aggrieved at the period I have cited, in consideration of the appointment which has been conferred upon him, until the government shall be pleased to determine in due season what it may deem proper. The governor will perceive from what I have stated that the antecedents of Leaton are dishonorable, and the course which he now pursues is not in conformity to that which is required on the part of a man who obtains an employment similar to the one by which he has been distinguished.

"Furthermore, he is politically opposed to the commanders and officers of the United States army stationed at Franklin, with whom up to this time the best relations of friendship have been preserved, and as the recruiting of soldiers done by Leaton is that of some deserters from these forces, which is a thing known, it is very easy, under these circumstances, that a grave complication to the inhabitants of this frontier may arise at any moment. I beg of you to report what I have communicated to the governor for his information, not referring here to other acts of the said Leaton which deserve reprobation, because I do not know why, even slightly, there is in me a predisposition towards the said individual, and in order that either the government of the State, or the minister of war, should they think it proper, may relieve him from this commission, intrusting it to another person better qualified for its faithful discharge. Be pleased, furthermore, to present my respects to the governor, and to receive for yourself assurances of my high distinguished consideration."

And I transcribe it to you that you may be pleased to report it to the President of the republic, informing him that on the second instant the American commander of Fort Franklin addressed a remonstrance to the civil governor of El Paso, demanding the capture of thirteen soldiers, deserters from that fort, who have stolen arms, equipments, and munitions belonging to the government of the United States; and through other sources this government has understood that the said José Leaton is the instigator of such desertions, which seriously compromit our relations with the government of the United States, if it should be ascertained that a Mexican is engaged in inducing the soldiers of the United States to desert their banners, and in committing thefts of arms, horses, and valuable property belonging to the government of the United States, with which we are at perfect peace, and must endeavor to preserve the kindliest relations of amity and good neighborhood; so that, in view of the whole matter, the President may be pleased to determine what he may think proper, by communicating it to this government with all possible despatch, in order to transmit said disposition to the civil chief of Bravos.

Independence and liberty! Chihuahua, February 8, 1865.

ANGEL TRIAS.

The CHIEF CLERK,
In charge of the War and Navy Department.

A true copy:

JUAN VALDEZ.

A true copy:

IGNO. MARISCAL, *Secretary.*

WASHINGTON, *April* 20, 1865.

No. 3.

[Enclosure No. 4.—Translation.]

WAR AND NAVY DEPARTMENT.

The President, to whom I have communicated your note of this date, in which you transcribe to me the one which the civil governor of the country of Bravos addressed to you under date of the 2d of the present month, respecting the commandant of squadron, José Leaton, has been pleased to instruct me to say to you, as I have the honor of doing, that in view of what is reported in the said note, the government withdraws at once from the aforesaid Leaton the authority which it had granted him, and to this effect you can issue your orders to the authorities whom it may, to recover from him the authority referred to, notifying the civil governor of Bravos that if there should be some volunteers enlisted they be placed at his disposal, and that he immediately send them under the command of an officer in whom he has confidence, that they may perform their duties in the campaign. With respect to what has been represented by the American officer in command of Fort Franklin, you may yourself determine, and inform the civil chief of the district of Bravos of what you may deem convenient, that the remonstrance may be heeded, in respect to that which is stipulated and should be due, under the treaty of extradition concluded between Mexico and the United States.

With reference to the suit which is pending against Leaton, you may be pleased to reply that the action of the tribunals has been and is free, to enable them to proceed therein agreeably to justice, reporting the result thereof to this

department, in order that in its view that may be determined which is proper respecting the military commission which had been issued to that individual.

Independence and liberty! Chihuahua, February 8, 1865.

In the absence of the minister,

ANASTACIO ARANDA,
Chief Clerk.

The GOVERNOR *and Military Commandant of the State of Chihuahua.*

A true copy:

JUAN VALDEZ.

A true copy:

IGNO. MARISCAL *Secretary.*

WASHINGTON, *April* 20, 1865.

No. 4.

[Enclosure No. 5.—Translation.]

No. 68.] DEPARTMENT OF FOREIGN RELATIONS AND GOVERMMNT,
National Palace, Chihuahua, April 15, 1865.

Referring to the matter of which I spoke to you in my previous No. 67, of the present month, relative to the citizen José Leaton, I now send you two copies of the disposition taken to-day by the war department, directing that the commission which had been given him as commandant of a squadron (captain of cavalry) should be revoked and withdrawn from that person. The cause of this additional measure has been, that on yesterday I received a communication from the vice-consul of this republic at Franklin, reaffirming the news received by the previous mail respecting the bad antecedents in the conduct of Leaton, and of the presumptions which are now entertained against him. The measures of the 8th instant might be deemed sufficient at this time, which I communicated to you in my previous note; but in consideration of this additional information, it seemed proper to withdraw the commission from Leaton, in order that if he cannot justify himself from the charges which have been brought against him, neither shall he retain it and use the title of a grade in the Mexican army. Agreeably to what I stated to you in my aforesaid No. 67, you will be pleased to make of this new information the use which you may deem most proper.

I protest to you my very distinguished consideration,

LERDO DE TEJADA.

Citizen MATIAS ROMERO,
Envoy Extraordinary and Minister Plenipotentiary of the Mexican Republic at Washington.

A true copy:

IGNO. MARISCAL, *Secretary.*

WASHINGTON, *April* 20, 1865.

No. 5.

[Enclosure No. 6.—Translation.]

WAR AND NAVY DEPARTMENT.

I have the honor to transmit to you a copy of the communication which this department, under this date, addresses to this State in relation to the authority which had been given to the captain of cavalry, José Leaton.

I renew to you my consideration and esteem.
Independence and liberty! Chihuahua, February 15, 1865.
In the absence of the minister,

ANASTACIO ARANDA,
Chief Clerk.

The MINISTER *of Foreign Relations and Government.*

A true copy:

JUAN VALDEZ.

A true copy:

IGNO. MARISCAL, *Secretary.*

WASHINGTON, *April* 20, 1865.

No. 6.

[Enclosure No. 7.—Translation.]

DEPARTMENT OF WAR AND NAVY

The President of the republic has deemed it proper to direct that you be pleased to inform the civil chief of the district of Bravos, that besides withdrawing from the citizen José Leaton the authority which had been granted to him to raise a force of volunteers, agreeably to the communication which I addressed to you on the 8th day of this month, in reply to that from you of the same date, you also withdraw from him the commission of a captain of cavalry, which was given him a short time since, informing him that the government orders this measure in consequence of the charges which have been brought against him, and that if he justifies himself the commission will be returned to him, that he may again be attached to the army of the republic.

Independence and liberty! Chihuahua, February 15, 1865.
In the absence of the minister,

ANASTACIO ARANDA,
Chief Clerk.

The GOVERNOR AND MILITARY COMMANDER OF THE STATE.

A true copy:

JUAN VALDEZ.

A true copy:

IGNO. MARISCAL, *Secretary.*

WASHINGTON, *April* 20, 1865.

No. 2.

Mr. Romero to Mr. Hunter.

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,
Washington, 2d of May, 1865.

MR. ACTING SECRETARY: In referring to the communication I had the honor of addressing you, on the 20th of April last, in relation to the Mexican citizen Joseph Leaton, I have now the honor of transmitting to you to-day, with this note, the copy of a communication from my government, dated Chihuahua, 25th of February last, No. 80, and of the accompanying document, from which it appears that the orders of the Mexican government have been complied with, in

taking away the commission of squadron commander granted to Leaton, and holding him to appear before the competent tribunal, to answer the charges brought against him.

I take this occasion to renew to you, sir, the assurances of my distinguished consideration.

M. ROMERO.

Hon. WILLIAM HUNTER, *&c.*

[Enclosure No. 1.]

No. 80.] MINISTRY OF FOREIGN AFFAIRS AND GOVERNMENT,
National Palace, Chihuahua, February 25, 1865.

I herewith send you the copy of a despatch addressed to me by the minister of war, together with one from the governor and military commander of the State of Chihuahua, transcribing another from the chief magistrate of the canton of Bravos, relative to the fulfilment of instructions given him in regard to citizen Leaton, of which I gave you notice in my notes Nos. 67 and 68, on the 11th and 15th of this month.

As I said in those notes, you may make whatever use you please with this new document.

Be assured of my most distinguished consideration.

LERDO DE TEJADA.

Citizen MATIAS ROMERO,
Envoy Extraordinary and Minister Plenipotentiary of the Mexican republic in Washington.

A true copy:

IGNO. MARISCAL, *Secretary.*

WASHINGTON, *May* 2, 1865.

[Enclosure No. 2.]

MINISTRY OF WAR AND THE NAVY.

The citizen governor and military commander of this State, under date of the 22d instant, writes me as follows:

"The chief of police of the canton of Bravos, on the 17th of the present month, reports officially to the secretary of this district as follows: In accordance with instructions by official note from the secretary, dated the 9th instant, ordering that Joseph Leaton, squadron commander, be deprived of his commission, for reasons given by the chief of police in an official communication dated the 3d of the present month, I have the honor of informing you, for the information of the secretary of war, that it has been done, as commanded. You will also inform the secretary that Leaton has been consigned to the 1st jurisdiction of this canton, and is now being tried for the offences of which he is charged. When concluded, I will report the result of the trial.

"As soon as ex-commander Leaton was shut up, all disturbances ceased, and no more complaints were brought to the provost at Franklin, to whom I made known the orders of the government relative to deserters.

"I will now tell you of another case that happened in this city.

"On Saturday, the 11th instant, an officer at Fort Franklin informed me that the deputy quartermaster of that place had lost a valuable horse, and that he suspected the horse was concealed in one of the rooms of the house occupied by Leaton, and if the house was not immediately surrounded the horse might be removed to a safer place. As his suspicions seemed well founded, I ordered the chief of police, with eight men, to search the premises; they did so, and the

horse was discovered, locked in a room which they had to break open, for nobody knew what had become of the key. I charged Leaton with a knowledge of the affair, and he said he knew nothing about the horse, as he had just returned from Guadalupe. The horse was delivered to the claimant; the bridle and saddle could not be found. This evidence has also been put in writing for the judge's use in this case.

"I offer protests of my very distinguished consideration.

"I have the honor of transmitting you the above, with Leaton's commission, for the information of the President of the republic."

By decree of this date Leaton's commission is ordered to be cancelled, and all decisions in respect to him made public.

Independence and liberty! Chihuahua, February 24, 1865.

In the absence of the minister,

ANASTACIO ARANDA,
Chief Officer.

The Citizen MINISTER OF FOREIGN AFFAIRS.

A true copy:

J. VALDEZ.

A true copy:

IGNO. MARISCAL, *Secretary.*

WASHINGTON, *May* 2, 1865.

No. 3.

Mr. Seward to Mr. Romero

DEPARTMENT OF STATE,
Washington, November 2, 1865.

SIR: I have the honor to acknowledge the receipt of your two notes, dated, respectively, April 20 and May 2, 1865, with their several accompaniments; in the first of which you communicate to me, by direction of your government, that the Mexican citizen José Leaton had been commissioned a captain of cavalry in the Mexican service, with authority to raise a body of volunteers in the State of Chihuahua, but that subsequently, it having been ascertained that he had abused the confidence reposed in him, by enticing desertions from the army of the United States, in Texas, his commission would be revoked. In your second note, of May 2, referring to the same subject, you inform me that Captain Leaton had been deprived of his commission, by order of the President of Mexico, and that he would be brought to trial and held to answer the charges preferred against him for misconduct.

In reply, it is most gratifying to express to you the satisfaction with which this government views these just and friendly proceedings on the part of the Mexican government, so well calculated to cement the relations of cordial amity now happily subsisting between the two republics.

I will thank you, therefore, to make known to the secretary for foreign affairs of Mexico, Señor Lerdo de Tejada, the high appreciation entertained by the United States of the course pursued by the government of Mexico in reference to the case of José Leaton.

I avail myself of this occasion to renew to you, sir, the assurances of my very distinguished consideration.

WILLIAM H. SEWARD.

Señor MATIAS ROMERO, *&c., Washington, D. C.*

No. 4.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION TO THE UNITED STATES,
New York, 5th of November, 1865.

MR. SECRETARY: I have the honor of acknowledging the reception of your note of the 2d instant, in which you refer to mine of the 20th April and 2d of May last, containing two communications from Mr. Lerdo de Tejada, minister for foreign affairs of the republic of Mexico, relative to the case of José Leaton, and in which you are kind enough to say—

"The United States government regard with satisfaction the just and friendly proceedings of the Mexican government, tending (according to your own expression) to cement the cordial friendly relations now happily existing between the two republics."

In complying with your request that I should communicate by the minister of foreign affairs of the republic of Mexico the good opinion the United States government has of the proceedings of the Mexican government in the case of Mr. Joseph Leaton, I transmit to-day to my government a copy of your above-mentioned note.

I am pleased to have this opportunity of renewing to you, Mr. Secretary, the assurances of my distinguished consideration.

M. ROMERO.

Hon. WILLIAM H. SEWARD, *&c., Washington, D. C.*

No. 37.

CORRESPONDENCE WITH THE FRENCH LEGATION AT WASHINGTON.—THE MEXICAN QUESTION.

List of papers.

No. 1.	Mr. Mercier to Mr. Seward, (with one enclosure)	Dec.	5, 1863.
2.	Mr. Geofroy to Mr. Seward	March	11, 1864.
3.	Mr. Seward to Mr. Geofroy, (with accompaniments)	March	12, 1864.
4.	Mr. Geofroy to Mr. Seward	March	20, 1864.
5.	Mr. Seward to Mr. Geofroy	March	23, 1864.
6.	Mr. Geofroy to Mr. Seward	April	3, 1864.
7.	Mr. Seward to Mr. Geofroy	April	6, 1864.
8.	Mr. Geofroy to Mr. Seward	April	7, 1864.
9.	Mr. Geofroy to Mr. Seward	April	7, 1864.
10.	Mr. Seward to Mr. Geofroy	April	9, 1864.
11.	Mr. F. W. Seward to Mr. Geofroy	April	12, 1864.
12.	Mr. Geofroy to Mr. Seward	April	26, 1864.
13.	Mr. Seward to Mr. Geofroy	April	30, 1864.
14.	Mr. Geofroy to Mr. Seward	Rec'd May	27, 1864.
15.	Mr. Seward to Mr. Geofroy	May	28, 1864.
16.	Mr. Seward to Mr. Geofroy	June	21, 1864.
17.	Mr. Seward to Mr. Geofroy	June	22, 1864.
18.	Mr. Geofroy to Mr. Seward, (with one enclosure)	June	22, 1864.
19.	Mr. Geofroy to Mr. Seward, (with one enclosure)	July	8, 1864.
20.	Mr. Seward to Mr. Geofroy, (with three enclosures)	July	9, 1864.
21.	Mr. Seward to Mr. Geofroy	July	14, 1864.
22.	Mr. Geofroy to Mr. Seward	Rec'd Aug.	27, 1864.
23.	Mr. Geofroy to Mr. Seward, (with one enclosure)	Rec'd Sept.	2, 1864.

24. Mr. Geofroy to Mr. Seward	Sept.	23, 1864.
25. Mr. Seward to Mr. Geofroy	Sept.	30, 1864.
26. Mr. Seward to Mr. Geofroy, (with accompaniments)	Oct.	15, 1864.
27. Mr. Geofroy to Mr. Seward	Oct.	17, 1864.
28. Mr. Seward to Mr. Geofroy	Oct.	24, 1864.
29. Mr. Seward to Mr. Geofroy, (with accompaniments)	Oct.	25, 1864.
30. Mr. Geofroy to Mr. Seward	Nov.	12, 1864.
31. Mr. Seward to Mr. Geofroy	Nov.	18, 1864.
32. Mr. Seward to Mr. Geofroy	Nov.	26, 1864.
33. Mr. Geofroy to Mr. Seward, (with an accompaniment)	Jan.	12, 1865.
34. Mr. Seward to Mr. Geofroy, (with accompaniments)	Jan.	18, 1865.
35. Mr. Seward to Mr. Geofroy	Jan.	21, 1865.
36. Memorandum from French Legation to Department of State	Feb.	4, 1865.
37. Mr. Seward to Mr. Geofroy	Feb.	7, 1865.
38. Mr. Seward to Mr. Geofroy, (with accompaniments)	Feb.	11, 1865.
39. Mr. Geofroy to Mr. Hunter	May	5, 1865.
40. Mr. Hunter to Mr. Geofroy	May	6, 1865.
41. Memorandum from French Legation to Department of State	May	6, 1865.
42. Mr. Hunter to Mr. Geofroy	May	10, 1865.
43. Mr. Hunter to Mr. Geofroy, (with accompaniments)	May	11, 1865.
44. Memorandum from French Legation to Department of State	May	17, 1865.
45. Mr. Seward to the Marquis de Montholon	June	12, 1865.
46. The Marquis de Montholon to Mr. Seward	June	15, 1865.
47. Mr. Hunter to the Marquis de Montholon	June	22, 1865.
48. Mr. Seward to the Marquis de Montholon	July	5, 1865.
49. The Marquis de Montholon to Mr. Seward	July	6, 1865.
50. Mr. Hunter to the Marquis de Montholon, (with accompaniments)	July	31, 1865.
51. The Marquis de Montholon to Mr. Hunter	Aug.	4, 1865.
52. Mr. Seward to the Marquis de Montholon	Aug.	8, 1865.
53. The Marquis de Montholon to Mr. Hunter	Aug.	8, 1865.
54. Mr. Seward to the Marquis de Montholon, (with accompaniments)	Sept.	13, 1865.
55. The Marquis de Montholon to Mr. Seward	Oct.	19, 1865.
56. Mr. Seward to the Marquis de Montholon	Oct.	31, 1865.
57. Mr. Seward to the Marquis de Montholon	Nov.	10, 1865.
58. The Marquis de Montholon to Mr. Seward, (with accompaniments)	Nov.	23, 1865.
59. The Marquis de Montholon to Mr. Seward, (with accompaniments)	Nov.	29, 1865.
60. Mr. Seward to the Marquis de Montholon	Dec.	4, 1865.
61. Mr. Seward to the Marquis de Montholon	Dec.	6, 1865.
62. The Marquis de Montholon to Mr. Seward	Dec.	9, 1865.

No. 1.

Mr. Mercier to Mr. Seward.

LEGATION OF FRANCE TO THE UNITED STATES,
Washington, December 5, 1863.

SIR: I have the honor to transmit to your excellency, and recommend to the examination of the federal government, a complaint which has been addressed

to me by Mr. Lange, a French subject, resident at New Orleans, and which has relation to a serious injury which had been caused him by the forcible detention at that port of the schooner Allison, cleared for Matamoras, and detained by higher authority.

HENRI MERCIER.

Hon. WILLIAM H. SEWARD,
Secretary of State.

No. 1.

Mr. Lange to the Consul of France.

[Translation.]

NEW ORLEANS, LOUISIANA,
November 16, 1863.

SIR: The undersigned has the honor to show to you that he shipped on the 26th October, last month, on board the English schooner Allison, a certain lot of merchandise, destined for Matamoras, Tamaulipas, Mexico.

That he obtained on the 29th October past a visa of his passport at the consular office for Matamoras, and that such visa was recorded at the office of the provost marshal of the United States.

That, besides, he obtained a pass from the said provost marshal, which authorized him to embark on the schooner Allison on her departure for Matamoras.

That the said schooner Allison was regularly cleared by the custom-house of this city on the 28th of said month of October past for the port of Matamoras, Mexico.

That, despite compliance with all these formalities, the said schooner was not allowed to leave the port of New Orleans with her cargo and passengers.

That the result of what precedes is, that the signer of this statement is seriously injured in his interests, and finds himself under the necessity of addressing the consulate of his country, and to ask that justice and redress may be rendered to him.

That the forcible detention at this port of the schooner Allison, and on the other hand of himself, causes to him serious injury, which he estimates up to this day at the sum of six thousand dollars, besides one hundred dollars per day for a longer forcible detention.

He has, in consequence of what precedes, the honor to beg the consul of France at New Orleans to have the goodness to confirm his reclamation, and to bring it to the knowledge of his excellency the minister of his Imperial Majesty the Emperor near the government of the United States at Washington, D. C.

In this expection, I have the honor to be, Mr. Consul, your most humble and obedient servant,

I. N. LANGE.

The CONSUL OF FRANCE,
New Orleans, Louisiana.

No. 2.

Mr. Geofroy to Mr. Seward.

[Translation.]

LEGATION OF FRANCE IN THE UNITED STATES,
Washington, March 11, 1864.

SIR: According to information which has reached the Emperor's government, *three regiments* of the federal army have lately been sent to Matamoras, under

pretext of protecting the consul of the United States at that point, and have there re-established the Juarist authority, by driving out therefrom General Cortinas, who had pronounced against it. This news, the official confirmation of which, however, it had not received, has fixed the attention of the Emperor's government. Such a fact would constitute a violation of the neutrality, on which the assurances of the cabinet at Washington have authorized it to rely, on its part, in regard to Mexico, and would also be entirely opposed to the instructions addressed by the Department of State to General Banks, who has been directed to favor neither of the two parties, and not to enter the Mexican territory, even to protect the American consul and citizens there. I therefore deem it my duty, sir, to point it out to you, and would be infinitely obliged if you could furnish me with explanations on this subject.

Be pleased to accept, sir, assurances of my high consideration.

L. DE GEOFROY.

Hon. WILLIAM H. SEWARD, &c.

No. 3.

Mr. Seward to Mr. Geofroy.

DEPARTMENT OF STATE,
Washington, March 12, 1864.

SIR: I have the honor to acknowledge the receipt of your note of the 11th instant, in which you state that, according to information which has reached the Emperor's government, three regiments of the United States army have lately been sent to Matamoras under the pretext of protecting the consul of the United States at that port, and have there established the Juarist authority by driving out therefrom General Cortinas, who had pronounced against it there. You proceed in your note to observe that this news, the official confirmation of which, however, had not been received by the French government, has fixed the attention of the Emperor's government. That the alleged proceedings constituted a violation of the neutrality, on which the assurances of this government has authorized France to rely, and would also be opposed to the instructions which were addressed by this department to Major General Banks, who commands the United States forces on the borders of Mexico, and therefore you ask proper explanation thereupon.

In reply to your note, I have the honor to say that the attention of the President was first directed to the transaction you have mentioned by a note which was written to this department by Don Matias Romero, the minister plenipotentiary of the Mexican republic residing at this capital, on the sixth of February last. Mr. Romero, in that note, represented that the dispute at Matamoras, which was the occasion of the proceeding of General Herron, now complained of, was a dispute between two military leaders, each of whom acknowledged the authority and acted under the orders of the Mexican republic. Taking that view of the subject, Mr. Romero insisted that the proceeding of General Herron was a flagrant violation of Mexican sovereignty, as well as a violation of the before-mentioned instructions of this department to Major General Banks.

Upon receiving these representations of Mr. Romero, I called upon the Secretary of War for such information concerning this transaction as he possessed, and further requested that a full investigation thereof might be instituted. I have received from the Secretary of War certain papers which bear upon the transaction in question, but not yet the full report which has been requested. I have now the honor to place copies of these papers before you, namely, a report

of Major General Banks, with the documents annexed, and to add to them an extract from a despatch of the United States consul at Matamoras, which has been received at this department.

A declaration of the views of this government upon the proceeding of General Herron is necessarily reserved until the result of the investigation which has been ordered shall have been ascertained. I shall be happy, in the mean time, to receive any information upon the subject which the government of France shall find it convenient and desirable to submit in support of the views of that government which conflict with the representations of the Mexican government, as well as with the statements made by the military authorities and the consul of the United States.

I will add that General Banks has again been specially charged to do whatever is practicable to avoid any collision between the forces under his command and either of the belligerents in Mexico, and even to guard, so far as may be possible, against suffering any occasion to arise for dispute or controversy between his command or the authorities of Texas, and either or both of these parties.

Accept, sir, the assurances of my high consideration.

WILLIAM H. SEWARD.

Mr. L. DE GEOFROY, &c., &c., &c.

General Canby to Mr. Seward.

DEPARTMENT OF STATE,
Washington, February 10, 1864.

SIR: The Secretary of War instructs me to acknowledge the receipt of your letter of yesterday, transmitting a translation of a note addressed to you on the 4th instant by Señor Matias Romero, envoy extraordinary and minister plenipotentiary of the United Mexican States, inviting attention to a publication in the New York journals, during the month of January last, purporting to be a communication containing menaces, addressed from Brownsville, on the 26th of December last, by Major General N. J. T. Dana, then commanding the United States forces in Texas, to the governor of Tamaulipas, in the Mexican republic, and also to the Matamoras correspondence, published in the daily papers, in which it is stated that Major General Herron, now commanding United States forces at Brownsville, has sent troops into the city of Matamoras, during local disturbances in that city, in violation of Mexican sovereignty.

In regard to the alleged violation of the Mexican territory by United States troops acting under the orders of Major General Herron, the Secretary instructs me to transmit for your information the enclosed copy of a communication this day received, addressed to the general-in-chief by Major General Banks, commanding the department of the Gulf, with its accompaniments, which present a detailed account of the circumstances under which the temporary presence of the United States troops in Matamoras was deemed imperative for the protection of the United States consulate in that city.

On the subject of the alleged letter of menace addressed by Major General N. J. T. Dana, from Brownsville, to the governor of Tamaulipas, this department has at present no knowledge. As soon as any information on the subject is received it will be communicated to you.

I have the honor to be your obedient servant,

ED. R. S. CANBY,
Brigadier General, Assistant Adjutant General.

Hon. SECRETARY OF STATE,
Washington, D. C.

General Banks to General Halleck.

[Extract.]

HEADQUARTERS DEPARTMENT OF THE GULF,
New Orleans, January 25, 1864.

GENERAL: I have the honor to transmit to you copies of despatches received from Major General F. J. Herron, commanding the forces of the United States on the Rio Grande, and giving in detail an account of affairs occurring on the 13th of January.

* * * * * * * *

The movement of troops into Matamoras seems to have been necessary to enable the consul to leave the city.

N. P. BANKS,
Major General, Commanding.

Major General H. W. HALLECK,
General-in-Chief U. S. A.

Official copy:

J. C. KELTON,
Assistant Adjutant General.

General Herron to General Stone.

[Extract.]

HEADQUARTERS UNITED STATES FORCES ON THE RIO GRANDE,
Brownsville, Texas, January 16, 1864.

GENERAL: I enclose herewith my report in reference to sending troops to the other side of the river for the protection of the United States consulate, and believing it will interest you, I add some other facts in connexion with the matter.

Upon arriving here I found Lerna established as governor of Tamaulipas, but Ruiz, who had been appointed military governor by Juarez, was moving on Matamoras with 600 men. Colonel Cortinas was in command of the Lerna forces. Arriving near the town, commissioners from the two parties met and settled the matter in this way: Lerna to retire to his rancho; Ruiz to take his seat as governor; the troops of both parties to unite under General Cassistran, a Ruiz man, with Cortinas as second in command, and to march against the French at Tampico. Lerna at once vacated. Ruiz took his seat, and the troops of both parties were camped in the town.

As near as I can learn the agreement was violated in several particulars by both parties, and considerable feeling was created. On the afternoon of the 12th, about 4 o'clock, Cardenas, an officer of Colonel Cortinas, rode to Governor Ruiz's house and insulted him; was arrested by the guard, carried into a back yard and shot within half an hour. This settled the matter, and at 8 o'clock the same evening the parties opened on each other with artillery in the Plaza.

The fight continued throughout the night, and until 12 o'clock the next day. During the night, at times, the musketry was severe, and I should say 250 shots were fired with artillery. Mr. Pierce was satisfied that an attempt would be made to rob the consulate, and had great apprehension for his family. The governor having officially notified me that he could not protect him, and believing that I could remove him without complicating matters, I sent troops over, feeling satisfied that under the circumstances I was only doing my duty.

During the fight the town and the road leading to the ferry were filled with robbers doing a good business, and had Mr. Pierce attempted to cross without a guard he would have been robbed, if not murdered. Both parties are perfectly

satisfied with my action, although Ruiz complained somewhat that I did not aid him, claiming that the Mexican troops once aided the citizens of Brownsville in repelling an attack of this same Cortinas.

I have the honor to be, with great respect, your obedient servant,

F. J. HERRON,
Major General, Commanding.

Brigadier General C. P. STONE, *Chief of Staff.*

Official copy:

J. C. KELTON,
Assistant Adjutant General.

HEADQUARTERS, *February* 3, 1864.

General Herron to General Stone.

HEADQUARTERS UNITED STATES FORCES ON THE RIO GRANDE,
Brownsville, Texas, January 15, 1864.

GENERAL: I have the honor to make the following report of circumstances that transpired on the night of the 13th instant:

About 8 o'clock in the evening we were startled by rapid cannonading and musketry firing, evidently going on in the streets of Matamoras, just across the Rio Grande, which continued without cessation, and spreading over the greater portion of the town until 10 o'clock.

At this hour I received the following communication from Mr. L. Pierce, jr., United States consul at Matamoras:

"UNITED STATES CONSULATE,
" *Matamoras, Mexico, January* 12, 1864—10 o'clock p. m.

"GENERAL: A battle is now raging in the streets of this city between the forces of Governor Manuel Ruiz and Colonel Juan N. Cortinas. My person and family are in great danger, as the road between here and the ferry is said to be infested with robbers. I have also about one million of dollars in specie and a large amount of valuable property under my charge in the consulate, and, from the well-known character of Cortinas and his followers, I fear the city will be plundered. I therefore earnestly request that you will send a sufficient force to protect myself and property, and to transport the money within the limits of the United States at the earliest moment possible.

"I am, sir, very respectfully, your obedient servant,

"L. PIERCE, Jr.,
" *United States Consul.*

"Major General F. J. HERRON,
" *Commanding United States Forces, Brownsville, Texas.*"

Within a very few moments the following, from Governor Manuel Ruiz, was handed to me:

"MATAMORAS, *January* 12, 1864—10 o'clock p. m.

"SIR: The forces commanded by Colonel Cortinas have attacked my positions in this place. As this town is very extensive, I cannot protect all, nor guarantee the United States consulate and the large property of American citizens, of different nations, living in this town. For this reason I shall endeavor to repulse the enemy, and ask you the favor to send some troops over to guard and protect the said property, which it is impossible for me to protect.

"I ask you, general, to take this application of mine in high consideration, and to admit my profound respect.

"Your obedient servant,

"MANUEL RUIZ,
"*Governor of Tamaulipas.*

"Major General F. J. HERRON."

I had, immediately after the firing commenced, despatched an officer (Colonel Black, 37th Illinois infantry) to the United States consulate, with instructions to inform me at once of the condition of affairs, and hearing from him, also, that the road was infested with robbers, who were taking advantage of the fighting to rob and murder, and that the family of the consul could not get away without a guard, and the legal governor, recognized by President Juarez, having informed me officially that he could not protect him, I deemed it not inconsistent with my instructions to send a small force into the city of Matamoras for the purpose of removing the family of Mr. Pierce and the specie to this side of the river.

I therefore ordered Colonel Henry Bertram, 20th Wisconsin infantry, to send forty men to take charge of the ferry, to put one regiment under arms and call at my headquarters for further orders. Upon reporting, I instructed him to take four companies of his regiment across the river, and proceed to the United States consulate, and there to make proper disposition of his force to protect the United States consul and his property, and to remove them at the earliest possible time to this side of the river; instructing him, at the same time, in the most positive manner, not to interfere in the fight. I then replied to Governor Ruiz as follows:

"HEADQUARTERS UNITED STATES FORCES ON THE RIO GRANDE,
"*Brownsville, Texas, January* 12, 1864—10½ o'clock p. m.

"SIR: Your note, dated Matamoras, 10 o'clock p. m., is at hand. Mr. Pierce, the United States consul, wrote at 10 o'clock, urging me to send a force to protect the United States consulate, and at his request I despatched Colonel Bertram, with a small force, to the consul's house, to protect him in moving to this side of the river.

"The troops have positive instructions not to interfere with either person or property, and to take no part in the fight. They will protect the consulate until safely removed.

"Regretting exceedingly the troubles which surround you, and with the hope that you may soon quiet matters, I have the honor to be, with great respect, your obedient servant,

"F. J HERRON,
"*Major General, Commanding.*

"Governor MANUEL RUIZ."

At the same time I wrote to Mr. Pierce, informing him of the instructions given to Colonel Bertram, and requesting him to prepare for removal at once.

I also sent the following notification to Governor Ruiz, sending a similar one to Colonel Cortinas:

"HEADQUARTERS UNITED STATES FORCES ON THE RIO GRANDE,
"*Brownsville, Texas, January* 12, 1864—10½ o'clock p. m.

"SIR: I have the honor to state that, owing to a battle now raging in the streets of Matamoras, between your troops and those of Colonel Cortinas, and the danger existing to the person and family of Mr. Pierce, United States consul, I have ordered Colonel Bertram, with four companies of United States troops, to proceed to the house of Mr. Pierce, at his request, for the sole and only purpose of conveying them within the territory of the United States. The

dangers from assassins and robbers on the road between here and your city seem imperatively to demand this course, which I take reluctantly, with every assurance to you that I shall commit no hostile acts upon Mexican territory, nor interfere in any manner with the fight now going on in your city. I have instructed Mr. Pierce to remove as quickly as possible, that I may withdraw the troops.

"I have the honor to be, with great respect, your obedient servant,

"F. J. HERRON,
"*Major General, Commanding.*

"Governor MANUEL RUIZ."

Colonel Bertram proceeded without delay to the other side of the river, marching by the shortest route to the consulate, and placing his troops within the yard which is attached to the house, and such arrangements were then made as would prevent any possibility of interference by our men.

At 12½ o'clock I received the following note from Colonel Bertram:

"AT UNITED STATES CONSULATE,
"*Matamoras, January* 12, 1864—12½ o'clock p. m.

"GENERAL: I have arrived at the consul's house, and assure you he was very happy to see us. I marched the shortest route, the firing having stopped as soon as we appeared on the streets. The consul thinks Cortinas is gaining ground. I await further instructions.

"Very respectfully,

"H. BERTRAM, *Colonel, Commanding.*

"Major General F. J. HERRON,
"*Commanding United States Forces.*"

To which I replied as follows:

"HEADQUARTERS UNITED STATES FORCES ON RIO GRANDE,
"*Brownsville, Texas, January* 12, 1864.

"COLONEL: Your note from the consul's is at hand. You will remain in your position, giving the consul sufficient time to remove his family and the valuables in the consulate to this side. Again let me state that you will interfere in no way with the fight, but keep your men at their posts for the duty assigned them. Send a good officer with the troops at the ferry, and issue the most positive orders prohibiting straggling from the ranks or interference of any nature whatever with either person or property. Should a stray shot come near or even strike one of your men, that will not be considered a sufficient reason for your firing. I have notified both Ruiz and Cortinas of your presence in Matamoras, and the purpose. Should you see either of the persons named, state fully what your instructions are.

"Your mission is a delicate one; be extremely careful.

"Respectfully,

"F. J. HERRON,
"*Major General, Commanding.*

"Colonel H. BERTRAM."

At 12½ o'clock I received the following from Colonel Bertram:

"AT UNITED STATES CONSULATE,
Matamoras, January 12—12½ o'clock p. m.

"GENERAL: I have received your letter. Your instructions are strictly obeyed, and I have sent the most stringent orders to Lieutenant Colonel Laughlin not to allow anything to be done that could be construed into a violation of your orders. Commissions from both Ruiz's and Cortinas's parties have been here to inquire into the object of our coming over. I told them

what my instructions were, and both parties went away satisfied. The consul says he has about one million in specie in his possession, and that he cannot possibly remove it or his family until morning. I have not been able to learn positively which party is gaining. Ruiz still holds the Plaza, and I think will hold it until morning.

"Respectfully,

"H. BERTRAM, *Colonel, Commanding.*

"Major General HERRON,
"Commanding United States Forces."

The fighting ceased for an hour after the appearance of my troops; but learning that there was to be no interference, both parties went at it again, taking care, however, to keep some distance from the United States consulate. Matters continued so until daylight, when I sent a sufficient number of wagons to remove the family of Mr. Pierce and property from the consulate. At 7 o'clock a. m. of the 13th they were safely landed on this side, and the troops withdrew. The fighting in the morning was carried on bitterly until 12 o'clock, when the Ruiz party retreated, and were scattered in every direction. The casualties on both sides were about fifty killed and one hundred wounded. Among the killed was ex-Governor Alveus Lopez, a prominent Ruiz man.

Governor Ruiz's forces numbered 800 men and four pieces of artillery, while Cortinas's force was 600 men and six pieces of artillery. Considerable damage was done by the artillery to the town during the fight, and by lawless bands plundering, &c.

Colonel Cortinas has already announced himself as governor of Tamaulipas, while Governor Ruiz, General Rohez, and some other prominent officers, escaped and crossed to this side, and are now here refugees.

I have in this report given merely the facts in detail, and will not enter into any argument in justification of my course. Notified by the governor of the State that he could not protect the United States consulate, and with an appeal from the consul direct for protection for his family and property, I felt that it was unquestionably my duty to furnish a sufficient guard to remove him from the city, taking at the same time every precaution to prevent collision with either of the factions. I might here state that the English consul remained during the night at the United States consulate under our protection. * * *

In conclusion, I would say that Colonel H. Bertram, of the 20th Wisconsin infantry, who commanded the troops that crossed over, performed the delicate mission in an admirable manner, and proved himself an officer of more than ordinary judgment. His officers and soldiers are entitled to thanks for their conduct.

I have the honor to be, general, with great respect, your obedient servant,

F. J. HERRON, *Major General.*

Brigadier General C. P. STONE,
Chief of Staff, New Orleans.

HEADQUARTERS, *February* 4, 1864.

Official copy:

J. C. KELTON, *A. A. G.*

Mr. Pierce to Mr. Seward.

[Extract.]

UNITED STATES CONSULATE,
Matamoras, January 16, 1864.

SIR: Since the arrival of the federal troops (6th November) affairs on this side of the Rio Grande have been in a most complete uproar. Immediately

upon the arrival of troops at Brownsville, General Cobos, the reaccionario, crossed over, and with a small force seized the governor (Ruiz) and other officials and placed them in confinement, making himself governor, R. Vila military commander, and Colonel Juan N. Cortinas, who created a disturbance and fight in Brownsville several years ago, second in command. After reigning twenty-four hours, Cortinas discovered that Cobos and Vila were endeavoring to get up a pronunciamiento in favor of the French, and he accordingly ordered his men to take them out and shoot them, which was done. Cortinas then proclaimed Jesus de la Lerna governor, and released Ruiz from prison, giving him two hours in which to leave town, referring the whole matter to the general government. In the mean time Ruiz went off to the interior, and as Lerna had been the cause of the revolution two years ago, Ruiz was sent back again to take his seat, with a large escort of regular troops. Lerna, who had arrived in town, supported by Cortinas, made preparations to defend the town, but after ten days' talk on the subject, on the first day of January it was agreed that Ruiz should take the chair, and the troops of both parties should go to Tampico to fight the French, and until they should be ready to start Ruiz should hold one side of the town and Cortinas the other. Everything remained quiet until the afternoon of the 12th, when Octiviano Cardenas, who belonged to the Cortinas party, went to the palace in company with two other officers and insulted the governor. In arresting him he fired his pistol off among Ruiz's soldiers. He was immediately seized, led out, and shot to death. This again started a correspondence between the contending parties, and at 9 p. m. the same evening the fighting commenced in the streets, one party using six pieces of artillery and Ruiz using two. The battle lasted until 11 a. m. on the 13th, when Cortinas took possession of the palace and town, and Ruiz and his friends fled to Brownsville, and at present we are without a governor.

During the night of the 12th, finding that robbing was being carried on in some parts of the town, and I having about a million of dollars in specie under my charge, at 10½ p. m. I applied to Major General Herron, commanding the forces on the Rio Grande, for sufficient men to protect our property from thieves and robbers, and he immediately crossed over a large force, who remained by us until morning, when I sent all the money to Brownsville, and the troops retired. * * * * * * * *

I am, sir, very respectfully, your most obedient servant,

L. PIERCE, JR., *U. S. Consul.*

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

No. 4.

Mr. Geofroy to Mr. Seward.

[Translation.]

LEGATION OF FRANCE TO THE UNITED STATES,
Washington, March 20, 1864.

SIR: I have received the note you did me the honor to write to me on the 12th of the month, with the various documents which accompanied it.

It seems, by these papers, that on the 12th of January last, a battle having been commenced in the city of Matamoras between the two Mexican chiefs, Ruiz and Cortinas, on the application of Mr. Pierce, consul of the United States there resident, who feared for his safety, Major General Herron, com-

manding the federal troops cantoned at Brownsville, Texas, sent across the frontier four companies of infantry, who came and took up a position in the vicinity of the consulate, and there remained until next day, the 13th; that they took back with them to the other side of the river Mr. Pierce, his family, and the valuables deposited at the consulate.

I remark that this temporary occupation had also been solicited by Ruiz, chief of the Juarists, who wrote at the same time as Mr. Pierce to General Herron, to declare to him that he was not in a condition to protect the United States consulate and the property of American citizens settled in the city, and who, under the pretence of providing for the safety of foreigners, wished probably to get for himself the support, at least apparent, of the federal troops.

On the morning of the 13th, when these were withdrawn, the Juarists disbanded, and Ruiz, with his principal officers, also crossed the river and took refuge at Brownsville.

In fine, it is evident it is General Banks whose charge it is to point it out, that in taking possession of his command General Herron received a communication of the instructions prepared the 23d of November, 1863, by the Department of State, and that in consequence he acted, as also did Consul Pierce, in full knowledge of the subject.

Such are the facts established by the reports of the military commanders of the United States. It would be difficult not to recognize therein a violation of neutrality, and a positive breach of orders, although so clear, which had been given by the Department of State, precisely for the accordance of such eventualities.

I shall carry your excellency's note to the knowledge of the Emperor's government, and be prepared to transmit to it also the report of Major General Banks, which you are pleased to announce to me, as well as all other documents you may deem proper to complete the elucidation of the affair.

Please accept, sir, the assurances of my high consideration.

L. DE GEOFROY.

Hon. WILLIAM H. SEWARD, *&c.*

No. 5.

Mr. Seward to Mr. Geofroy.

DEPARTMENT OF STATE,
Washington, March 23, 1864.

SIR: I have the honor to acknowledge the receipt of your note of the 20th instant, in which you assume that the sending a few troops from Brownsville to Matamoras to protect treasure in the custody of the United States consul at the latter place, during the late civil conflict there, was contrary to the neutrality professed by this government, and which General Banks had been directed to observe in reference to affairs in Mexico. Without meaning to underrate the force of your remarks on this point, I deem it proper to postpone further discussion of this subject until such views of your government as may be formed, after a fair consideration of the correspondence which has already taken place, shall be made known to this department.

Accept, sir, the renewed assurance of my high consideration.

WILLIAM H. SEWARD.

Mr. L. DE GEOFROY, *&c.*

No. 6.

Mr. Geofroy to Mr. Seward.

[Translation.]

LEGATION OF FRANCE TO THE UNITED STATES,
Washington, April 3, 1864.

SIR: As I have the honor to inform you, I have transmitted to my government the documents which your excellency submitted to me on the subject of the affair at Matamoras. The documents can scarcely have reached Paris at this moment. While awaiting the answer they will occasion, I this morning received a second despatch from M. Drouyn de Lhuys, pointing to new facts, on which I shall have the honor to confer with your excellency on the earliest day my health will permit me to go out; but there is a point which seems to be of importance to bring immediately to your notice. It would appear that on the news of the events of the month of January last General Bazaine took the measures necessary to protect, in the direction of Matamoras, the Mexican territory against any further invasion. Whatever may be the opinion we may form upon past events, you will comprehend, sir, how necessary it is to avoid all complication in the future, that General Banks, and the officers serving under his orders, may be again called to the strict observance of the instructions given the 23d November, 1863, from your excellency's department.

I should not, either, leave you in ignorance that the French troops must also have been directed to Sonora, where, according to reports more or less founded, a very considerable number of emigrants from California must lately have disembarked at Guaymas, and have established themselves in the country in virtue of grants which were made to them by the ex-President Juarez. The mission of our forces is to prevent in Sonora all these takings of illicit possession, if they be really attempted, and, in any case, the lawfulness of concessions which shall have emanated from Juarez will never be admitted. Your excellency will probably judge proper to make this known to American citizens who might allow themselves to be drawn into such speculations.

I seize this occasion to renew to your excellency the assurances of my high consideration.

L. DE GEOFROY.

Hon. WILLIAM H. SEWARD, *&c.*

No. 7.

Mr. Seward to Mr. Geofroy.

DEPARTMENT OF STATE,
Washington, April 6, 1864.

SIR: I have the honor to acknowledge the receipt of your note of the 3d instant, in which you inform me that you have received a second despatch from M. Drouyn de Lhuys, pointing to new facts in relation, as I am left to infer, to the proceedings which took place at Matamoras in the case of Mr. Pierce, the consul at that place, and which have been made the subject of recent correspondence, on your part, with this department. I shall with pleasure receive the promised information when the state of your health shall be such as to enable you to visit me, and I sincerely regret the cause by which such a visit is delayed. Since my last note to you on the Matamoras affair was written, I have learned that General Cortinas, with his forces, is certainly adhering to the government of the United States of Mexico. In view of this fact, it is not now apparent to this government that France—being in our view only a belligerent in Mexico, and having no forces at or near Matamoras when the transaction in regard to the consul occurred there—can reasonably expect explanations concerning it from the United States.

You inform me in the note now before me that, on hearing of that transaction in January last, General Bazaine took the measures necessary to protect the Mexican territory in the direction of Matamoras against any further invasion; and you suggest that, in consequence of that proceeding, Major General Banks, and the officers serving under his orders, may be again called to a strict observance of the instructions which I gave to that general on the 23d of November last. Passing over the words "further invasion" as an accidental assumption of a fact which this government has not conceded, and is not yet prepared to concede, I have had no hesitation in informing Major General Banks of the purpose of General Bazaine, and enjoining the United States general to a strict and faithful observance of the instructions of November, which require him to forbear from any form of intervention in the war between France and Mexico.

You also inform me in your last-mentioned note that French forces have been directed towards Sonora, and you bring to my knowledge rumors that a very considerable number of emigrants from California have lately disembarked at Guaymas, and have established themselves in the country in virtue of grants which were made to them by President Juarez, whom you describe as ex-President; you further state that the mission of the French forces is to prevent, in Sonora, the taking possession of estates under such grants, the lawfulness of which, you say, will never be admitted; and you suggest to me the expediency of making this information known to American citizens who might be destined to allow themselves to be drawn into such speculations.

While I appreciate the frankness and the good will which the Emperor's government manifests in thus communicating its views and purposes on the subject mentioned, it nevertheless remains my duty to say that this government has long recognized, and still does continue to recognize, the constitutional government of the United States of Mexico as the sovereign authority in that country, and the President, Benito Juarez, as its chief. This government, at the same time, equally recognizes the condition of war existing in Mexico between that country and France. We maintain absolute neutrality between the belligerents, and we do not assume to judge, much less to judge in advance, of the effect of the war upon titles or estates. We have no knowledge of such an emigration from California to Sonora as you have described in your note; but if such an emigration has taken place, those persons who thus emigrate will of course be regarded as subjecting themselves to the authority and laws by which the rights of citizens of Mexico are governed; and while it seems unnecessary for the President to assume that such emigrants will claim the protection of this government for any estates of whatever kind they may attain or attempt to attain in Mexico, it would certainly be presumptuous to attempt now to decide upon the validity of such claim.

Peaceful emigration from the United States is entirely free from restraint or influence of the government. Emigrants themselves are generally well informed concerning their rights. Under these circumstances, any interference of the government concerning such emigration would be as inexpedient as it would be without precedent. The case would be different if the act of emigration was attended with preparations and purposes hostile to Mexico, or to either belligerent party, or to any other nation, and therefore incompatible with the laws of the United States or with the law of nations. It is believed that the government of the United States has already sufficiently indicated the views it must take in such a case if it should occur, which, however, there seems no immediate reason to apprehend.

Accept, sir, the renewed assurance of my high consideration.

WILLIAM H. SEWARD.

Mr. L. DE GEOFROY, &c.

No. 8.

Mr. Geofroy to Mr. Seward.

[Translation.]

LEGATION OF FRANCE TO THE UNITED STATES,
Washington, April 7, 1864.

SIR: Upon a request for explanations addressed to him by the minister of the United States at Paris on the subject of the arrest of which Mr. Mansfield, consular agent of the United States at Tabasco, had been the object, the 23d December last, his excellency the minister for foreign affairs, after having asked for information necessary on the matter from his colleagues of the navy and war, has replied to Mr. Dayton that nothing in the correspondence of the agents of the government of the Emperor in Mexico would authorize a belief that such an incident had taken place. M. Drouyn de Lhuys has, at any rate, written again to Mexico to be more completely informed, but, at the same time, he expresses with good right his astonishment at the measures taken by the government of the United States, which, receiving news of this affair from Tabasco, immediately sent to the place a ship-of-war to obtain intelligence. Although this vessel may not have received the order, the government of the Emperor is pleased to believe, to take any action in the case had Mr. Mansfield been in fact arrested, its envoy does not explain at all, by the wish to make a simple inquiry, and it assumes, therefore, in appearance at least, the character of a certain minatory pressure, which is without any justification in the incident itself, or in the nature of the relations of the government of the Emperor with that of the United States.

Accept, sir, the assurances of my highest consideration.

L. DE GEOFROY.

Hon. WILLIAM H. SEWARD, *&c.*

No. 9.

Mr. Geofroy to Mr. Seward.

[Translation.]

LEGATION OF FRANCE TO THE UNITED STATES,
Washington, April 7, 1864.

SIR: About the end of December and beginning of January last, two bands, the one of 200 men, the second of 500, detached from the troops which are under the command of General Banks in Texas, went from Brownsville and Brazos Santiago, invaded the Mexican territory by taking advantage of the disorder which reigned at Matamoras, and went and carried off a considerable number of bales of cotton deposited at Boca del Rio Bravo by merchants of Monterey, on the pretence that this merchandise belonged to Americans of the southern States. The government of his Majesty has charged me to call the most serious attention of your excellency to these violations of territory, which, connected with that which I have already had the honor to point out to you previously, would constitute a combination of facts of which I have no need to develop the importance. I therefore beg your excellency to have the goodness to give me on this subject some explanations, and I take this occasion to offer to you the assurance of my high consideration.

L. DE GEOFROY.

Hon. WILLIAM H. SEWARD, *&c.*

No. 10.

Mr. Seward to Mr. Geofroy.

DEPARTMENT OF STATE,
Washington, April 9, 1864.

SIR: I have the honor to acknowledge the receipt of your note of the 7th instant, stating that about the end of December and beginning of January last, bodies of troops from the command of General Banks went from Brownsville and Brazos Santiago, in Texas, into Mexican territory, and carried off a considerable number of bales of cotton lodged at Boca del Rio Bravo. In reply I have the honor to acquaint you that this department has no knowledge, official or otherwise, of the proceeding referred to. Inquiry will, however, at once be made in regard to it, and such further proceedings will be adopted as the result may call for, it being the disposition of this government to maintain entire neutrality between the belligerents in Mexico, and its determination not to authorize or sanction any invasion of Mexican soil.

I have the honor to be, with high consideration, sir, your obedient servant,
WILLIAM H. SEWARD.

Mr. L. DE GEOFROY, &c.

No. 11.

Mr. F. W. Seward to Mr. Geofroy.

DEPARTMENT OF STATE,
Washington, April 12, 1864.

SIR: Your note of the 7th instant, on the subject of the arrest and imprisonment of Mr. Mansfield, United States consul at Tabasco, by the authorities there, has been received. In reply I have to express regret that the Emperor's government should have regarded the sending of a United States ship-of-war to that quarter, for the sole purpose of inquiring into the transaction, as a minatory proceeding. It certainly was not so intended, but was deemed indispensable from the fact that, even in time of peace, intercourse with Tabasco is irregular, infrequent, and indirect. It had become so much more so of late, that this department had not, and even to this time has not, received any authentic information in regard to Mr. Mansfield's offence, from either United States, Mexican, or French sources. Of course, no opinion can be formed upon the subject until such information shall have been furnished.

I will add, however, that in directing Mr. Dayton to apprise M. Drouyn de Lhuys that a vessel-of-war had, in point of fact, been despatched to Tabasco, this department inadvertently supposed that that step had been adopted. It has now been ascertained, however, that, at the time when the request for that purpose was made of the Navy Department it was not convenient, nor has it since been convenient, to comply with it. Probably, therefore, a report upon the subject may be received from the Emperor's government before an inquiry in the form indicated can be made by the United States government.

Accept, sir, the renewed assurance of my high consideration.

F. W. SEWARD,
Acting Secretary.

Mr. L. DE GEOFROY, &c.

No. 12.

Mr. Geofroy to Mr. Seward.

[Translation.]

LEGATION OF FRANCE TO THE UNITED STATES,
Washington, April 26, 1864.

SIR: Some months since a society was formed in the city of New Orleans, the object of which is to make enrolments and purchases of arms and ammunition destined for Mexico. This association, openly avowed and known under the name of club of the Defenders of the Monroe Doctrine, D. M. D., has its regular meetings, duly announced by means of the newspapers, and employs all measures of propagandism for raising subscriptions and making proselytes. At its head are some Mexican refugees, and notably a Colonel de Borden; some number of federal officers also form part of it, and Governor Hahn himself, whose opinions are known, has been received as a member; already transmissions of arms and munitions have been directed towards the frontier of the Rio Grande, and I am assured, although I do not like to believe it, with the connivance of some of the authorities of the United States. It suffices me to point out such facts to your excellency. I have too many evidences of the scrupulous care you take to cause the observance of the most exact neutrality in the affairs of Mexico, not to feel certain in advance that the government of the United States will take the most effective measures to repress them, and that it will, in an exemplary manner, deal severely with those of its agents who shall be convicted of having taken part in this.

I seize this occasion to renew to your excellency the assurances of my high consideration.

L. DE GEOFROY.

Hon. WILLIAM H. SEWARD, &c.

No. 13.

Mr. Seward to Mr. Geofroy.

DEPARTMENT OF STATE,
Washington, April 30, 1864.

SIR: I have the honor to acknowledge the receipt of your note of the 26th instant, relative to the alleged formation of a society at New Orleans, the object of which is to make enrolments and purchase of arms and ammunition, destined for Mexico, and stating that already transmissions of arms and munitions have been directed towards the frontier of the Rio Grande.

I have the honor to inform you, in reply, that letters have been addressed by this department to the governor of Louisiana and to Major General Banks, requesting an inquiry into the matters thus reported, with a view to insure a strict observance of neutrality on the part of officers and citizens of the United States.

Accept, sir, a renewed assurance of my high consideration.

WILLIAM H. SEWARD.

Mr. L. DE GEOFROY, &c.

No. 14.

Mr. Geofroy to Mr. Seward.—(Received May 27, 1864.)

[Translation.]

It seems that Brownsville, on the Rio Grande, is the very active centre of a traffic in articles contraband of war, a traffic which is carried on for account of the agents of Mr. Juarez, and that the federal authorities, who are accused of deriving large profits from it, favor, in place of hindering it; that General Herron, who commands at Brownsville, is on the best terms with Mr. Cortinas, whom he aids with all his power, by furnishing him arms, munitions, and even recruits, and that he loudly avows his sympathies with the pretended government which he still represents at Matamoras. The collector of the federal customs at Brownsville must be also, as it is given out, in connivance with Mr. Cortinas.

It seems that at this moment a ship is being laden near Boston, which is to carry to Mexico one or two batteries of artillery, carbines, swords, and bayonets. Contracts for these articles, contraband of war, have been made already, some weeks since, and the vessel which will carry them will, to turn aside suspicion, be cleared from some small port in New England. She will be given Brazos as her destination, which is at a short distance from the mouth of the Rio Grande, and from that locality the cargo will be sent on its way to a point occupied by the agents of Mr. Juarez.

No. 15.

Mr. Seward to Mr. Geofroy.

DEPARTMENT OF STATE,
Washington, May 28, 1864.

SIR: On the 30th of April last I had the honor to receive your note, written on the 26th of that month, in which you informed me that a society had been formed in the city of New Orleans, the object of which is to make enrolments and purchases of arms and ammunition destined for Mexico. You further informed me that this association, openly avowed, and known under the name of the club of the "Defenders of the Monroe Doctrine, D. M. D.," has its regular meetings, duly announced by means of the newspapers, and employs all means of propagandism for raising subscriptions and making proselytes; that at its head are some Mexican refugees, and notably a Colonel De Borden, some number of federal officers also form part of it, and Governor Hahn himself, whose opinions are known, has been received as a member; that transmissions of arms and munitions have already been directed towards the Rio Grande, and that you were assured, although you did not like to believe it, that such transmission of arms and munitions were made with the connivances of some of the authorities of the United States.

I lost no time in bringing the complaints which you thus preferred, in their full effect, to the knowledge of Major General Banks, who is in command of the United States forces west of the Mississippi, and also to the knowledge of his excellency Michael Hahn, the governor of the State of Louisiana.

I have now the honor to inform you that I have received from the governor of Louisiana an official communication in relation to these complaints, of the effect following, namely: that there is a society or club in New Orleans under the name of the "Defenders of the Monroe Doctrine;" that his excellency Michael Hahn is not a member of the club, or of any similar association; that

the presiding officer of the club is Colonel F. N. D. S. Borden, who is understood to be a loyal citizen of the republic of Mexico; that the only citizens of New Orleans who are known to the governor as belonging to the club are a few young men of no considerable influence; that the object of the club, so far as the governor has been able to ascertain it, is to bring moral influences to bear upon the government of the United States in favor of a maintenance of the Monroe doctrine, but not to act in violation of the law, or of the well-understood governmental policy of neutrality, in the war which exists between France and Mexico; that so far as the governor has learned, there has been neither any enrolment of men, nor any subscriptions of money, by the club, or by any other association, for the purposes of war in Mexico. Nor have any arms, ammunition, or men been sent there through any association of persons in the State of Louisiana, so far as the governor knows, or has even heard.

I am further assured by his excellency that he cordially co-operates with the other public officers in Louisiana in carrying out the known instructions and wishes of the President and this department, and in observing and enforcing the provisions of the law relating to the neutrality of the United States in the war between France and Mexico.

It remains only to assure your excellency that this department reposes implicit confidence in the statements of Governor Hahn, and, consequently, that there have been no such violations of the neutrality of the United States in New Orleans as, through misinformation, your excellency has been led to represent.

Accept, sir, a renewed assurance of my very high consideration.

WILLIAM H. SEWARD.

Mr. L. DE GEOFROY, &c.

No. 16.

Mr. Seward to Mr. Geofroy.

DEPARTMENT OF STATE,
Washington, June 21, 1864.

SIR: With reference to the memorandum, without date, relative to an alleged traffic in articles contraband of war, through Brownsville, on the Rio Grande, with the agents of President Juarez, which was received from the legation of France on the 27th ultimo, I have the honor to state, for your information, that Major General Banks, to whom a translation of that paper was communicated, has apprised me that the subject has received attention; that arrests have been made, and that goods have been seized upon the supposition that they were destined for a contraband trade with Mexico; that Major General McClernand, commanding the 13th army corps, being absent in consequence of sickness, has requested that Major General Herron will be assigned to the command of that corps, and his quarters will be established in the State of Louisiana.

Accept, sir, the renewed assurance of my high consideration.

WILLIAM H SEWARD.

Mr. L. DE GEOFROY, &c.

No. 17.

Mr. Seward to Mr. Geofroy.

DEPARTMENT OF STATE,
Washington, June 22, 1864.

SIR: Referring to your note of the 26th of April last, and to my replies of *the 30th of that* month and 28th ultimo, in regard to the formation of a society *at New Orleans,* under the name of the club of the Defenders of the Monroe

Doctrine, and to the alleged objects and proceedings of that association, I have now the honor to acquaint you that I have received information from Major General Banks corroborating the statements made by his excellency Governor Hahn, which were imparted to you in my note of the 28th ultimo. General Banks further reports, that if there are any federal officers connected with the before-named society, they are not men of influence or character. Officers may have been led in some instances to associate themselves with it out of motives of curiosity, but have abandoned the organization as soon as its unlawful character and purposes became known; that a Colonel Van Zandt, one of the persons lately arrested, has been dismissed from the service. If enlisted men are connected with it, they are without influence, and in many instances of disreputable character; that as a combination this association is unimportant in its influence upon international relations, but that there are some dangerous men connected with it; that they had before and since the receipt of my communication to Major General Banks, of the 30th April, been under close surveillance; that their objects are to enlist men, and, perhaps, to obtain arms and other materials for offensive demonstrations in Mexico or elsewhere; that it is quite as likely, however, to be intended to further their own ambitious personal projects and fortunes to interfere in the affairs of Mexico or any other nation; that an arrest of the parties was made at the earliest moment when proof could be obtained of that purpose; that the steamer Crescent, upon which they had taken passage for Brownsville, was seized a few days since by Brigadier General Bowen, provost marshal general, and the departure of the expedition prevented.

In conclusion, Major General Banks reassures me that every precaution will be taken to avoid any unlawful interference with the affairs of Mexico, in violation of the policy of this government, as defined in my instructions to him.

Accept, sir, a renewed assurance of my highest consideration.

WILLIAM H. SEWARD.

Mr. L. DE GEOFROY.

No. 18.

Mr. Geofroy to Mr. Seward.

[Translation.]

LEGATION OF FRANCE TO THE UNITED STATES,
Washington, June 22, 1864.

SIR: I have received the note which you did me the honor to address to me yesterday, to announce to me that the memorandum which I remitted to your excellency on the 27th of last month, on the subject of shipments of arms and munitions to Mexico by the frontier of the Rio Grande, having been communicated to Major General Banks, that officer had just informed your excellency that he had given his attention to the affair, and, in consequence, had caused the seizure of some articles suspected of being contraband of war destined to Mexico; and, besides, that General Herron had been called to the position of General McClernand, in command of the 13th corps, who would have his headquarters in Louisiana.

I hasten, sir, to thank you for the news, and am going to communicate it to the government of the Emperor, which will appreciate, no doubt, as I myself do, both the promptitude of your excellency in sending these orders to New Orleans, and the diligence of Major General Banks in executing them.

Accept, sir, the assurance of my high consideration.

L. DE GEOFROY.

Hon. WILLIAM H. SEWARD, *&c.*

No. 19.

Mr. Geofroy to Mr. Seward.

[Translation.]

LEGATION OF FRANCE TO THE UNITED STATES,
Washington, July 8, 1864.

SIR: I have the honor to communicate to you the extract from the despatch of his Majesty's consul at San Francisco, which points out to me shipments of powder and arms to Mexico, which would take place from California, at the instigation of an agent of Juarez, named Vega, and I beg your excellency will be so good as to address to the authorities of that State orders analogous to those which stopped in Louisiana movements of the like nature.

Accept, sir, the assurance of my high consideration.

L. DE GEOFROY.

Hon. WILLIAM H. SEWARD, *&c.*

Mr. Cazotte to Mr. Geofroy.

[Translation.]

SAN FRANCISCO, *June* 10, 1864.

Since the departure of Mr. James, collector of the customs at San Francisco, the deputy collector, who replaced him, Mr. Cushman, has the air of receiving with great earnestness my communications for hindering the shipment of arms, gunpowder, and articles contraband of war, destined for Mexican ports, but the sum of it is, that he does nothing to stop them.

There is here a Mexican general, named De Vega, who has come with money to get ready armaments in favor of ex-President Juarez; he purchases small vessels, loads them with arms and gunpowder, and applies at the custom-house, through his agents, to clear these vessels for the river Colorado, where there are several American settlements. In this manner the vessels get away with the permission of the custom-house, and under any pretext touch at some points on the Mexican coast, where they land their cargoes. Thus, quite lately, the American schooner Potter, cleared on these conditions, put ashore at Guaymas 2,500 barrels of gunpowder and fire-arms. I complain bitterly of these subterfuges to the local authorities. I ask the deputy collector to exact security from the fitters out of vessels laden with articles contraband of war, and cleared for the American ports on the banks of the Colorado; he promises me mountains and miracles, but I do not obtain from him any positive result. The chief of police only, Mr. Burke, actively seconds my investigations.

CAZOTTE.

No. 20.

Mr. Seward to Mr. Geofroy.

DEPARTMENT OF STATE,
Washington, July 9, 1864.

SIR: With reference to the memorandum, without date, which was received at this department from his Imperial Majesty's legation, and which related, among other things, to a trade in articles contraband of war between Brownsville and Matamoras, and with reference also to my reply of the 21st ultimo, I now have the honor to enclose, in further reply, a copy of a communication of the 8th in-

stant from the Secretary of the Treasury, from which it appears that you have been misinformed.

Accept, sir, a renewed assurance of my high consideration.

WILLIAM H. SEWARD.

Mr. L. DE GEOFROY.

Mr. Fessenden to Mr. Seward.

TREASURY DEPARTMENT, *July* 8, 1864.

SIR: Your communication of May 28, enclosing translation of a memorandum from Mr. L. de Geofroy, chargé d'affaires of France, relative to "an alleged trade in articles contraband of war with Mexico, through the port of Brownsville, Texas," was duly received and referred to the officers of this department at Brownsville for report.

I now have the honor to transmit copy of the reports of the acting collector of customs at Brownsville and the assistant special agent for the district of Texas.

Very respectfully,

W. P. FESSENDEN,
Secretary of the Treasury.

Hon. WILLIAM H. SEWARD, *Secretary of State.*

Mr. Breckinridge to Mr. Chase.

TREASURY DEPARTMENT,
Washington, June 2, 1864.

SIR: I have the honor to acknowledge the reciept of your favor of the 1st, enclosing a communication from the Hon. Secretary of State, together with the memorandum from the chargé d'affaires of France.

I left Brownsville, Texas, about the 7th ultimo. Up to that time no goods contraband of war had been sent into Mexico or sold to the agents of the Mexican government.

I do not know of a single article contraband of war having come to the port of Brazos de Santiago, and feel sure that trade in contraband goods could not exist, even to a very limited extent, without my knowledge.

Respectfully, &c.,

G. W. BRECKINRIDGE,
Assistant Special Agent.

Hon. S. P. CHASE, *Secretary of the Treasury.*

Mr. Worthington to Mr. Chase

TREASURY DEPARTMENT, *June* 26, 1864.

SIR: I have the honor to acknowledge the receipt of communication dated May 28, Department of State, enclosing a memorandum from the French chargé d'affaires concerning a trade in munitions of war alleged to be carried on between Brownsville, Texas, and Matamoras, Mexico.

In reply to the surmise, I have only to report that till the last of May I was daily and constantly at Brownsville, in charge of the custom-house affairs, and I am certain that no such trade existed; in fact, the sole trade we had was with New Orleans, a city itself under martial law, and from whence no such supplies could be drawn.

As for the connivance of the collector of the customs, it is useless to refute, as he has no discretionary powers in such matters. Should munitions of war

arrive at the port of Brazos de Santiago, they will come under the authority of the proper authorities; should they not have those authorizations they would, of course, be seized as contraband.

As regards the loading of a vessel or vessels near Boston with munitions for Mexico, I know nothing, nor have I ever heard of such a scheme.

I would also beg leave to refer you to the monthly reports of exports and imports, which show *all* the business of that department, to see how fallacious are any such reports.

With the most high respect, &c.,

CHARLES WORTHINGTON,
Special Agent and Acting Collector.

Hon. S. P. CHASE, *Secretary of the Treasury.*

No. 21.

Mr. Seward to Mr. Geofroy.

DEPARTMENT OF STATE,
Washington, July 14, 1864.

SIR: I have the honor to acknowledge the receipt of your communication of the 8th instant, reporting contemplated shipments of powder and arms from California to Mexico, and, in reply, to inform you that the attention of the proper departments will be immediately called to the matter.

Accept, sir, a renewed assurance of my high consideration.

WILLIAM H. SEWARD.

Mr. L. DE GEOFROY, &c.

No. 22.

Mr. Geofroy to Mr. Seward.—(Received August 27, 1864.)

[Translation.]

Recent advices, brought from Mexico to the government of the Emperor, have apprised him that very grave events, the responsibility for which would fall upon the government of the United States if it neglected to take them into serious consideration, would be again brought about at Matamoras. A great number of federals, after having evacuated Brownsville, have, as it seems, passed the Rio Bravo and put themselves at the disposal of Mr. Cortinas. This chief would also have received a considerable supply of arms and munition, despatched from American territory. If these advices are true, as it seems there is no ground to doubt, there must have been there a violation of neutrality, which of itself alone would give sufficient ground for reclamation on the part of the government of the Emperor. But the life of French subjects has ceased to be respected by the party dominant at Matamoras; two of them, as it seems, had been shot by order of Mr. Cortinas. It will, therefore, be the duty of the government of the Emperor to protest the more energetically against the support given in this circumstance to its adversaries.

No. 23.

Mr. Geofroy to Mr. Seward.—(Received September 2, 1864.)

[Translation.]

A fraudulent shipment of arms, destined for Mexico, took place at San Francisco at the close of the month of July. A portion of it was seized through the efforts of Colonel James, collector of the customs at that city, upon the suggestions of his Majesty's consul; the residue, enumerated in the invoice annexed,

was got out of the way and shipped on a small vessel, which, by the latest accounts, must be anchored, it is said, in one of the coves of the bay of San Francisco. When prescribing to Colonel James the most active search upon this subject, the Department of State is begged to recommend to him to cause constant watch to be kept on the conduct of a certain General Vega, who is at San Francisco, the agent for this sort of operations.

[Translation.]

Invoice of merchandise in the customs public store to my order, (order of General Vega.)

For the river Colorado:

Marked.	Package.		
Guadelupe Mining Co., Guaymas.	1 case of	Enfield rifles	77 120
	1 do.	do.	79 105
	1 do.	do.	76 76
	1 do.	do.	74 70
	1 do.	do.	75 70
	1 do.	do.	81 105
	1 do.	do.	82 50
	1 do.	do.	89 70
	1 do.	do.	91 70
	1 do.	do.	92 64
	1 do.	do.	93 120
	1 do.	do.	94 380
Esperanza Mining Co., Guaymas.	1 do.	do.	78 120
	1 do.	do.	83 100
	1 do.	do.	86 80
	1 do.	do.	87 370
	1 do.	do.	84 56
	1 do.	do.	85 100
	1 do.	do.	88 60
	1 do.	do.	90 114
	1 do.	heavy carbines equipped....	106 400
	1 do.	do.	107 84
	1 do.	do.	108 59
	1 do.	Field rifles	95 100
	1 do.	do.	97 70
San Juan Mining Co., Guaymas.	1 do.	do.	98 70
	1 do.	do.	99 120
	1 do.	do.	100 119
	1 do.	do.	101 120
	1 do.	do.	102 100
	1 do.	do.	103 70
	1 do.	do.	104 70
	1 do.	do.	105 60
		Enfield rifle.....	40
	1 do.	do.	96 60
	34 cases.		

NOTE.—The packages above enumerated are now shipped on a small vessel moored at some point in the bay of San Francisco.

SAN FRANCISCO, *July* 21, 1864.

Examined:

[L. S.]

CAZOTTE, *Consul of France.*

No. 24.

Mr. Geofroy to Mr. Seward.

[Translation.]

MONTREAL, CANADA, *September* 23, 1864.

DEAR SIR: I have no other information in relation to that which has just occurred at Brownsville than what is contained in the paper. Whatever the causes which have led to it, it would seem, if we are to believe them, that the Mexican chief, Cortinas, has entered the territory of the United States with a corps of troops, to which, it is said, he has even given of his own authority the flag of the Union. This last act shows a boldness for which he, no doubt, will have to account to the federal government. That which interests me is that he be disarmed, and does never leave the American territory to make some incursion with his men upon the right bank of the Rio Grande. I am sure, in advance, that upon the first intelligence of this affair, you will have sent to Texas the strictest orders, in order that the duties which vicinage and neutrality require be strictly observed by the officers of the federal forces in that part of the country; and I have no need of insisting upon the grave responsibility which the latter might entail upon their government if, in contempt of their instructions, they should permit these refugees to station themselves upon the frontier, and there to commit acts of hostility, directly or indirectly; there to prepare expeditions, transfers of men and munitions; and, finally, there to render aid in any manner to the party in arms in the interior of Mexico against the troops of his Majesty. I will only remark to you that this recent act, when it shall be known in Paris, will make more pressing the demand for explanations, which I have recently been charged to address to you on the subject of the relations, not very intimate, which previously existed between Cortinas and some generals of the United States, from one bank to the other of the Rio Grande, and particularly upon the sale of arms belonging to the government of the United States, which was made by these latter to that chief. I would therefore thank you to hasten the reply which you have been pleased to promise me upon this subject, at the same time that you will enable me to make known to M. Drouyn de Lhuys the measures you may have taken respecting Cortinas and his band.

If you should think that my presence should be immediately necessary at Washington, I would thank you to telegraph it to me at the consulate general of his Majesty at Quebec, as late as Tuesday next, the 27th, and after that at New York, at the Brevoort House, where I propose to remain until the 4th of October, and thence send off my mail.

Accept, dear sir, the renewed assurance of my high consideration, and of my devoted sentiments.

L. DE GEOFROY.

Hon. WILLIAM H. SEWARD, *&c.*

No. 25.

Mr. Seward to Mr. Geofroy.

DEPARTMENT OF STATE,
Washington, September 30, 1864.

SIR: Your note from Montreal, of the 23d, was received here on the 26th instant.

When I saw the earlier newspaper reports of an alleged entrance of General Cortinas within the territory of the United States, I deemed them improbable

and unreliable. The only official information upon the subject which has been received is a statement contained in a report made by Major General Canby to the Secretary of War. Upon receiving that statement I immediately transmitted to Mr. Dayton a despatch containing the same statement, of which I now give you a copy for your information. Subsequent newspaper publications discredit the original rumors in the most essential parts; the latter, however, like the first, are vague and unsatisfactory. I have, therefore, addressed myself, through the War Department, to Major General Canby, and requested a full statement of the facts, and at the same time, although deeming it quite unnecessary, I have, by command of the President, renewed the injunction heretofore given, that the military forces of the United States must neither commit, nor suffer within the jurisdiction of the United States, any violation of the neutrality of this government in the conflict now going on in Mexico.

Accept, sir, the assurance of my very high consideration.

WILLIAM H. SEWARD

Mr. DE GEOFROY, *&c.*

No. 26.

Mr. Seward to Mr. Geofroy.

DEPARTMENT OF STATE,
Washington, October 15, 1864.

Mr. Seward presents his compliments to Mr. Geofroy, and has the honorto communicate, for his information, a copy of a report of the 15th of September, and of its accompaniments, addressed to Major General Banks by Major General Canby, relative to the recent events which have taken place on the Rio Grande

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Mr. Dana to Mr. Seward.

DEPARTMENT OF STATE,
Washington City, November 1, 1864.

SIR: I transmit, herewith, by direction of the Secretary of War, the enclosed copy of the latest report received by Major General Canby, commanding the military division of the West Mississippi, concerning affairs on the Rio Grande frontier, and by him furnished, at your request, for your information.

I have the honor to be, sir, your obedient servant,

C. A. DANA,
Assistant Secretary of War.

Hon. WILLIAM H. SEWARD, *Secretary of State.*

General Canby to General Banks.

HEADQUARTERS MILITARY DIVISION OF WEST MISSISSIPPI,
New Orleans, Louisiana, September 15, 1864.

GENERAL: The correspondence of Colonel Day, in relation to the Mexican force under Cortinas, has been received. Colonel Day's action, so far as it is known here, accords with our neutral obligations, and is approved. The Mexican refugees are entitled to an asylum in our territory when they deliver up their arms and munitions, and restore any prisoners or booty that they may have taken from the French.

They will not be received into the service of the United States for servi the Rio Grande frontier, but may be enlisted for the general service. I case they will be sent to this city, either before or after enlistment, to be c ized, armed, and equipped. Their enlistment may be for one, two, or years, but preferably for the shorter term, and their duty thereafter will l termined by the circumstances of the service.

As an armed enemy of France, this force will not be tolerated in our terri and if this be the intention of Cortinas, the commanding officer will be instr to regard, and, as far as his power extends, to treat his force as enemies o United States.

You will please instruct Colonel Day, or the commander at Brazos San accordingly, and in the contingency of any of Cortinas's force entering ou vice, give the necessary instructions in relation to enlistment, transfer t city, and the disposition to be made of private property. The public pro of the Mexican government remains, of course, in the custody of the U States until disposed of by proper authority.

Very respectfully, your obedient servant,

ED. R. S. CANBY,
Major General Commandi

Major General N. P. BANKS,
Commanding Department of the Gulf, New Orleans, Louisiana.

Official:

C. T. CHRISTENSEN,
Lieutenant Colonel, Assistant Adjutant Gener

A copy was transmitted to the Adjutant General of the army, Septe 17, 1864.

Colonel Day to Major Drake.

HEADQUARTERS UNITED STATES FORCES,
Brazos Santiago, Texas, October 9, 18(

MAJOR: I have the honor to transmit the following report of affairs at post:

Everything has been quiet since the date of my last report—the enemy having been seen. I have received information from Mr. Pierce, consul at amoras, also from other sources, that the rebels are greatly disappointed a turn which Mexican affairs have taken at Matamoras. They had expected they would be able to purchase or by some means obtain possession of a of the artillery, which was at that place, from Cortinas. The surrender of tinas to Mejia, and his acknowledgment of the authority of Maximilia course destroyed all such anticipations. I have understood that many tem proposals were made by Ford to Cortinas, with a view to obtain part of th tillery, all of which were steadily refused.

On the 29th of September Mejia took possession of Matamoras on the lowing terms: No French were to be allowed to enter the city, and all Fr troops were to leave Bagdad, and the surrender made to Mexican troops a These terms were carried out. The French troops at Bagdad have been drawn to their vessels, and the place occupied by Mexican forces. I am able to determine whether this state of affairs is favorable to the interests o United States or not. I have been informed by some Mexican refugees, la from Matamoras, that a confederate flag was flying at that place, and that federate officers are received with great cordiality on the part of Mejia.

instructions received by me through the department headquarters with regard to Mexican refugees have been carried out. The refugees appear to be very well pleased with the manner in which they have been treated, and many are enlisting in the United States service for the period of one year. All the officers, and most of the men, however, have a desire to return to their homes as peaceable citizens of Mexico, and I anticipate a request from Mejia that they be allowed to do so. If such a request be made, I shall allow them to return unarmed, on condition that we secure some remuneration for the subsistence furnished.

The health of the troops under my command is steadily improving, and I am confident that ere long all symptoms of scurvy will disappear.

The steamer Alliance arrived here last Monday morning, the 3d instant. During the night of the same day she experienced a severe "norther," and was blown on shore. She not being able to get off until this morning accounts for the delay of my despatches.

Hoping that this will meet with your approval, I am, very respectfully, your obedient servant,

H. M. DAY,
Colonel, Commanding United States Forces.

Major GEORGE B. DRAKE,
Assistant Adjutant General, Department of the Gulf,
Brazos Santiago, Texas.

Official:

GEORGE B. DRAKE,
Major and Assistant Adjutant General.

No. 27.

Mr. Geofroy to Mr. Seward.

[Translation.]

LEGATION OF FRANCE TO THE UNITED STATES,
Washington, October 17, 1864.

SIR: I have received the copy of the report addressed to Major General Banks by Major General Canby, which you did me the honor to send me the day before yesterday, and thank you for the communication.

It appears to me, from reading this document and accompanying papers, that while recognizing and understanding from the outset what duties neutrality imposed on them, the military authorities of the Gulf have not, however, entirely resisted the application made by refugee Mexicans to be admitted into the army of the United States. It might even be inferred from the report of Colonel Day and Major George B. Drake, dated September 14, that the first idea of this enlistment came from him, and that it had been suggested to them by his orders. On his part, Major General Canby, thinking to remove all inconvenience by bringing to New Orleans these refugees, who are held under arms, has only succeeded in opening the way for greater difficulty.

New Orleans is (your excellency is not ignorant of the fact) the place where are prepared, and from which depart, clandestine expeditions bound for Mexico, which the United States government has been obliged to arrest not long since; no place could, therefore, be more ill chosen to keep together a body of Mexicans transformed into United States soldiers. The succor the federal government will derive from such recruits is, to my mind, problematical; the embarrassments they may occasion are much more plain.

I doubt not your excellency may be struck with these remarks, which the government of the Emperor has offered on its part to the envoy of the United States at Paris, and I am gratified to hope that you will advise the adoption, by the military commander in the Gulf, of measures which can give no room for any objection.

Accept, sir, the assurance of my high consideration.

L. DE GEOFROY.

Hon. WILLIAM H. SEWARD, *&c.*

No. 28.

Mr. Seward to Mr. Geofroy.

DEPARTMENT OF STATE,
Washington, October 24, 1864.

SIR: I have the honor to acknowledge the receipt of your note of the 17th instant, which relates to the proceedings of the military authorities of the United States in the department of the Gulf, in regard to the forces of Cortinas, and, in reply, to inform you that your comments and suggestions on the subject will receive due attention.

Accept, sir, a renewed assurance of my highest consideration.

WILLIAM H SEWARD.

Mr. L. DE GEOFROY, *&c.*

No. 29.

Mr. Seward to Mr. Geofroy.

DEPARTMENT OF STATE,
Washington, October 25, 1864.

SIR: With reference to the informal memorandum, without date, which you left at this department on the 27th of August last, relating to reports that citizens of the United States, after evacuating Brownsville, have placed themselves at the disposal of the Mexican General Cortinas, and that arms and ammunition have also been furnished to the Mexicans, I have the honor to enclose, in reply, a copy of a communication of the 21st instant from the War Department, from which it would seem that, happily, the reports which had reached the imperial government, which gave occasion for the memorandum, were incorrect.

Accept, sir, a renewed assurance of my high consideration.

WILLIAM H. SEWARD.

Mr. L. DE GEOFROY, *&c.*

Mr. Dana to Mr. Seward.

WAR DEPARTMENT,
Washington City, October 21, 1864.

SIR: In reference to your communication of August 29, 1864, transmitting a complaint from Mr. Geofroy, chargé d'affaires of France, to the effect that citizens of loyal States have enlisted in the service of Cortinas, and that arms and ammunition have been furnished to the Mexicans, I am directed by the Secretary of War to respectfully call your attention to the report of Major General Herron, commanding United States forces on the Rio Grande, transmitted to

this department by Major General E. R. S. Canby, commanding division of west Mississippi, and a copy of which is herewith enclosed.

From this report it will appear that the statements referred to by Geofroy are entirely unfounded.

I have the honor to be, sir, your obedient servant,

C. A. DANA,
Assistant Secretary of War.

Hon. WILLIAM H. SEWARD, *Secretary of State.*

General Herron to Lieutenant Colonel Christensen.

HEADQUARTERS DISTRICT OF BATON ROUGE AND PORT HUDSON,
Baton Rouge, Louisiana, September 24, 1864.

COLONEL: The letter of Hon. W. H. Seward, Secretary of State, to Hon. E. M. Stanton, Secretary of War, under date of August 29, 1864, covering translation of a communication received at Washington by the representative of the Emperor of the French, in regard to certain occurrences said to have taken place on the Rio Grande, and which has been referred to me for report, has been received. There is nothing specific in the charges and statements made upon which to make a detailed report.

With reference to the great number of federals said to have crossed into Matamoras after the evacuation of Brownsville, I would state that there were not six citizens of the United States left in Brownsville when I withdrew the troops from that place. I had sent all persons, men, women, and children, to New Orleans. Some few Mexicans, who had been living on the east side of the Rio Grande, may probably have crossed into Mexico, but I know the number must have been small, for I had previously shipped a great majority of even the Mexicans to New Orleans; I mean such as resided on our side of the river. I have been constantly in receipt of advices from Matamoras since the evacuation of Brownsville, and had such occurrences as the above taken place I would certainly have heard something of it.

With reference to the arms and ammunition said to have gone into Mexico from American territory, I would undertake to say, in the most positive manner, that nothing of the kind took place from January 1, 1864, to August 1, 1864, the period of my administration on the Rio Grande; nor did anything occur that would warrant even a rumor of such a thing.

It seems to me that when such charges are made, involving, as they do, the reputation of officers of the United States army, some kind of proof should accompany the charges; but these statements being so general, I can do nothing more than make a mere denial of the whole.

There is neither truth in the report nor ground for it.

I am, with great respect, your obedient servant,

F. A. HERRON, *Major General.*

Lieut. Colonel C. S. CHRISTENSEN,
A. A. G., New Orleans.

No. 30.

Mr. Geofroy to Mr. Seward.

[Translation.]

LEGATION OF FRANCE TO THE UNITED STATES,
New York, November 12, 1864.

SIR: It would appear, agreeably to the information which has reached the government of the Emperor from various quarters, that ex-President Juarez

has not abandoned the project of issuing letters of marque against our commerce, and that there are being constructed in the ports of the United States, especially at New Orleans and at San Francisco, vessels destined to cruise for his account.

I bring this fact to the knowledge of your excellency, not supposing, however, that the federal government, had it learned it from another source, would not have immediately taken measures to prevent the departure of these vessels, which is announced as very near at hand.

If, however, the good faith of the authorities of the United States being overreached, these vessels should take the sea, I must inform you that the government of his Majesty could not, in any case, recognize in them the character of privateer.

Mr. Juarez cannot hereafter be seriously considered a chief of a government. The supreme authority in Mexico has no longer at this time, and for those who are the least impartial, any other real representative than the sovereign called by events to the head of that country. Mr. Juarez, whatever may have been his former position, has, therefore, to-day, neither the title nor the character to issue letters of marque. Those with which he should attempt to supply American or other vessels, being henceforth without value, would expose these vessels and their crews to be treated purely and simply as pirates.

In instructing me to make this declaration to your excellency, the government of his Majesty has, nevertheless, no other intention than that of enabling that of the United States to give this notice again, in due season, to those of its citizens who may have entertained, or who are ready to entertain, propositions of Juarez or those of his agents.

Accept, sir, the assurances of my high consideration.

L. DE GEOFROY.

Hon. WILLIAM H. SEWARD, *&c.*

No. 31.

Mr. Seward to Mr. Geofroy.

DEPARTMENT OF STATE,
Washington, November 18, 1864.

SIR: I have the honor to acknowledge the receipt of your note of the 12th instant, by which I am informed that the imperial government of France has learned from various quarters that the President of the United States of Mexico (by you described as ex-President) has not abandoned the project of issuing letters of marque against French commerce, and that there are being constructed in the ports of the United States, especially at New Orleans and at San Francisco, vessels designed to cruise for his account.

In reply, I am at liberty to inform you that this government has no knowledge of the design which is thus ascribed to the President of Mexico, nor has it any information that any such vessels are building, as is supposed, in either of the two ports you have specially designated, or in any other port of the United States. The vigilance of public officers is such as to inspire a confident belief that the information which the Emperor's government has received is erroneous. Nevertheless, for greater security of the present neutrality of the United States, that information will be specially submitted to the proper agents in New Orleans and San Francisco, with renewed injunctions for the discovery and prevention of the arming or fitting out of vessels-of-war to depredate on French commerce. Similar proceedings will be adopted in relation to other ports upon my receiving any information of unlawful designs or enterprises afoot therein.

It seems unnecessary to discuss the question you have raised, whether the President of Mexico has a right, by the law of nations, to grant letters of marque, inasmuch as this government peremptorily exacts perfect neutrality from citizens of the United States in the Mexican war.

Accept, sir, a renewed assurance of my high consideration.

WILLIAM H. SEWARD.

Mr. L. DE GEOFROY, *&c.*

No. 32.

Mr. Seward to Mr. Geofroy.

DEPARTMENT OF STATE,
Washington, November 26, 1864.

SIR: I have the honor to inform you that on the 3d of September last a translation of the memorandum and of the accompanying invoice, received at this department from the legation of France, on the 2d of that month, in relation to a fraudulent shipment of arms at San Francisco, California, which arms are said to have been destined for Mexico, was transmitted to the Secretary of the Treasury, who was requested to cause the matter to be investigated with a view to the adoption of proper proceedings in the premises.

It now appears as the result of the investigation, that early in August last the collector of customs at San Francisco was informed that the American schooner Haze, of about forty tons burden, had on board a quantity of arms, supposed to be four thousand stand, together with a large supply of munitions of war, soldiers' clothing, and other articles, and that she was moving from place to place, in the bay of San Francisco, apparently seeking an opportunity to evade the vigilance of the revenue cutter Joseph Lane, then on guard duty in that harbor, and get to sea, when she would transfer her cargo to the schooner San Diego, of about fifty-five tons burden. The collector thereupon immediately despatched two boats under the direction of Lieutenant Selden, the commander of the revenue cutter there, with a guard furnished by Brigadier General Mason, the provost marshal at San Francisco, in quest of the Haze. These boats returned on the 4th of August, after a fruitless search of twenty-four hours. At 9 o'clock of the evening of that day the collector was informed that a schooner resembling the Haze had been seen at anchor in Half Moon bay, about thirty-five miles south of the Golden Gate.

The San Diego having sailed on that day, pursued by the revenue cutter Joseph Lane, in obedience to the collector's orders, under the belief that the vessel reported as having been seen at the Half Moon bay was the Haze, he immediately despatched the steam-tug Merrimac, under the command of a revenue officer, with a guard from the provost marshal's office, in pursuit. They found the Haze at the place designated, with the arms, munitions of war, and soldiers' clothing on board. Having ordered her to be detained, the collector reported such detention to Major General McDowell, the commander of the military district in which San Francisco is situated, to whom the arms and munitions of war were delivered.

From this statement of facts you will clearly perceive that none of the arms referred to were exported from San Francisco.

Accept, sir, a renewed assurance of my very high consideration.

WILLIAM H. SEWARD

Mr. L. DE GEOFROY, *&c.*

No. 33.

Mexican refugees in New York and Washington preparing a movement in favor of Juarez.

[Translation.]

LEGATION OF FRANCE TO THE UNITED STATES,
Washington, January 12, 1865.

Mr. de Geofroy presents his compliments to his excellency Mr. Seward, and has the honor to transmit to him a note containing some information in which he requests he will have the goodness to fix his attention.

[Translation.]

It is believed to be known with certainty that the Juarist refugees at New York and Washington are preparing a movement in favor of the ex-President, and that they propose to stir up troubles simultaneously at Matamoras and in Sonora; that meetings have been held at lawyer Chauncey's, 243 Broadway, in the presence of some members of Congress. There Generals Doblado and Berriozobala, the intended leaders of the insurrection, must have stated the object, which would be to persuade the federal government that the people of Mexico are impatient of the new order of things; that everything is ready for action. The business houses of Ok, King & Mira, Fausto & Gorcouria, will take charge of the voyage for the partisans of Juarez on the eve of setting off from New York. Already those whose mission it is to rouse Sonora, seven in number, must be on their way to California.

No. 34.

Mr. Seward to Mr. de Geofroy.

DEPARTMENT OF STATE,
Washington, January 18, 1865.

SIR: Referring to previous correspondence between yourself and this department, relative to the construction in the ports of the United States of vessels destined to cruise against the commerce of France under letters of marque issued by President Juarez, of Mexico, I have the honor to enclose for your information a letter of the 3d instant, with the accompaniments from the Attorney General's office.

I have the honor to be, with the highest consideration, sir, your most obedient servant,

WILLIAM H. SEWARD.

Mr. L. DE GEOFROY, &c.

Mr. Pleasants to Mr. Seward.

ATTORNEY GENERAL'S OFFICE,
Washington, January 3, 1865.

SIR: By direction of the Attorney General, I have the honor to transmit you herewith a letter from the United States marshal for the eastern district of Louisiana, Cuthbert Bullitt, esq., in reply to instructions addressed to him by this office, relative to the alleged construction in New Orleans of vessels "destined to cruise against French commerce under letters of marque issued by Mr. Juarez, of Mexico."

Very respectfully, your obedient servant,

M. F. PLEASANTS,
Acting Chief Clerk.

Hon. WILLIAM H. SEWARD, *Secretary of State.*

Mr. Bullitt to Mr. Speed.

OFFICE U. S. MARSHAL, EASTERN DISTRICT LOUISIANA,
New Orleans, December 23, 1864.

SIR: I have the honor to acknowledge the receipt of your esteemed favor of the 3d instant, with a copy of a letter from Mr. L. de Geofroy to the honorable Secretary of State, in which he alleges "that there are vessels being constructed in this port destined to cruise against French commerce under letters of marque issued by Mr. Juarez, of Mexico." I have made every effort to discover if there is any foundation for this report, and called on the commanding general as well as the French consul in regard to it. They agree with me that there is no ground for the complaint.

With much respect, your obedient servant,

CUTHBERT BULLITT,
United States Marshal.

Hon. JAMES SPEED,
Attorney General of the United States, Washington.

No. 35.

Mr. Seward to Mr. de Geofroy.

DEPARTMENT OF STATE,
Washington, January 21, 1865.

Mr. Seward presents his compliments to Mr. Geofroy, and has the honor to acknowledge the receipt of his communication of the 12th instant, relative to the supposed movement of Juarist refugees at New York and Washington.

In reply, Mr. Seward has the honor to state that the attention of the proper authorities has been called to the subject, with a view to the prevention of any violation of the neutrality laws of the United States.

No. 36.

Memorandum from French legation to Department of State.—(Received February 4, 1865.)

[Translation.]

MEXICAN ORGANIZATION IN NEW YORK.

It seems that several persons whose names are on the annex herewith are busied in New York in organizing an emigration which would be directed towards Mexico, with an object hostile to the government of the emperor Maximilian.

These individuals seem to be full of confidence in the successes of their projects. They dispose apparently of funds considerable enough, and express themselves in a manner to allow the belief that the intrigue they are plotting in the United States has ramifications in Mexico.

The manner in which they speak of ex-President Juarez would lead to the thought that it is not on him they count, nor in his favor that they are agitating. Certain indications would lead rather to the supposition that the persons in question lend sympathies to General Santa Anna, which the event would develop.

What they say of him would in any case be fit to compromise him, if the indiscretions which escape them were to be taken seriously.

It is said that Brooklyn, Cincinnati, and Santa Fé are the points of rendezvous for the emigrants that the favorers of the intrigue in question seek to gather in view of the disorders they meditate. It appears that a captain in the American army, whose name (Fichte) would indicate a German origin, set off five days ago for New Mexico, with the title of colonel and $7,500 in gold, given, it is said, by a New York banker, (Berriozabul.) Santa Fé, whither he goes, will become a sort of recruiting depot for operations against Mexico.

Annex.—Colonel Flores, Colonel Bidal y Rivas, General Rivas, Captain Pelliteer, Marquis de Sard; an American officer of German origin, by name Fichte.

No. 37.

Mr. Seward to Mr. de Geofroy.

DEPARTMENT OF STATE,
Washington, February 7, 1865.

SIR: Referring to your communication of the 12th ultimc, relative to an alleged movement on the part of certain refugees to aid President Juarez, (a translation of which was communicated to the Secretary of the Navy,) I have the honor to state, in reply, that this department is informed, by a letter of the 2d instant from the Navy Department, that Acting Rear-Admiral Pearson has been apprised of the supposed movement, and that he, with those of his command in the Pacific squadron, have been instructed to use proper vigilance with the view of intercepting any expedition that may be fitted out in the United States in violation of its laws or international law, and which may embark from San Francisco, or other ports in California, to take part in the difficulties now existing in Mexico.

Accept, sir, the renewed assurance of my high consideration.

WILLIAM H. SEWARD.

Mr. L. DE GEOFROY, &c.

No. 38.

Mr. Seward to Mr. de Geofroy.

DEPARTMENT OF STATE,
Washington, February 11, 1865.

SIR: Referring to the correspondence which has occurred between the French legation and this department relative to the alleged construction, in the ports of the United States, of vessels-of-war intended to cruise against the commerce of France under letters of marque issued by President Juarez, I have the honor to enclose for your information a copy of a letter of the 7th instant, together with its accompaniment, from the War Department.

Accept, sir, the assurances of my high consideration.

WILLIAM H. SEWARD.

Mr. L. DE GEOFROY, &c.

Mr. Dana to Mr. Seward.

WAR DEPARTMENT,
Washington City, February 7, 1865.

SIR: Referring to your communication of the 25th, and to the reply of this department of the 26th of November last, relative to the alleged construction in United States ports of vessels intended to serve as privateers, under letters of marque, from President Juarez, of the Mexican republic, I am instructed by the Secretary of War to transmit a copy of a communication on the subject from Major General McDowell, commanding the department of the Pacific, to whom a copy of your letter was sent with directions to take all necessary precautions to prevent the arming or fitting of vessels intended to be used in depredations on French commerce.

I have the honor to be, sir, your obedient servant,

C. A. DANA,
Assistant Secretary of War.

Hon. WILLIAM H. SEWARD, *Secretary of State.*

General McDowell to Mr. Stanton.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,
San Francisco, January 6, 1865.

SIR: I have the honor to acknowledge the receipt of a communication from the State Department to you, enclosing the translation of a note from the French minister, dated the 12th of November, 1864, relative to the alleged construction in United States ports, and especially in that of San Francisco, of vessels intended to serve as privateers, under letters of marque from the President (Juarez) of Mexico; on which letter was indorsed your order to take all necessary precautions to prevent the arming or fitting of vessels-of-war intended to be used in depredations on French commerce.

On the receipt of these orders I immediately sent for the French consul, and inquired of him whether he knew, or had any cause to believe or suspect, that any vessel was being constructed, armed, or fitted out in this port for the purposes before mentioned.

He replied that he knew of none, unless it was the Colon.

The Colon is a steamer, said to have been built for the Peruvian government, and which I have and have had under guard for several months past. The seizure was reported to you some time since.

I asked the consul in what way he connected the Colon with any operations against the French. He replied, only because the captain was a friend of the Mexican General Vega, and that he had every reason to believe that General Vega had in his possession letters of marque to be issued to parties in this place, but that he had been unable to fit out any vessels.

I have been and shall continue to be strict in everything concerning vessels leaving this place, or being built in these waters, which can in any way be converted into privateers, either against our commerce or that of foreign nations.

I have the honor to be, very respectfully, your most obedient servant,

IRVIN McDOWELL,
Major General, Commanding Department.

Hon. E. M. STANTON,
Secretary of War, Washington, D. C.

No. 39.

Mr. L. de Geofroy to Mr. Hunter.

[Translation.]

LEGATION OF FRANCE TO THE UNITED STATES,
Washington, May 5, 1865.

SIR: It would follow, from reports worthy of credit, that certain persons propose to profit of the disarmament, and the order which takes off the prohibition of the exportation of munitions of war, by organizing expeditions to Mexico.

At New York, at Philadelphia, and even at Washington, they would recruit men, and prepare shipments of arms. I shall take care to communicate to you separately all the information I have received and which I shall receive in this respect.

I confine myself here to calling the most serious attention of the government of the United States to these manœuvres, and to the complications to which they would lead, in consequence of the presence of our troops in Mexico.

The legislation of the United States furnishes to the executive power not only the means to repress, but also to arrest any enterprise of a nature to disturb the good relations between the Union and friendly nations.

I pray you, therefore, sir, to be so good as to bring this condition of things as soon as possible to the knowledge of his excellency the President of the republic, who will determine what are the most efficient measures to be taken in order to remedy it.

I seize this occasion to renew to you, sir, the assurances of my most distinguished consideration.

L. DE GEOFROY.

Hon. WILLIAM HUNTER, *&c.*

No. 40.

Mr. Hunter to Mr. de Geofroy.

DEPARTMENT OF STATE,
Washington, May 6, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 5th instant, inviting the serious attention of this government to the reported propositions of certain persons to profit by the disarmament and the order which takes off the prohibitions of the exportation of the munitions of war, by organizing expeditions to Mexico, and to inform you that I have transmitted copies thereof to the Secretary of War and to the Attorney General, requesting them to give the matter their attentive consideration.

Accept, sir, a renewed assurance of my high consideration.

W. HUNTER, *Acting Secretary.*

Mr. L. DE GEOFROY, *&c.*

No. 41.

Memorandum from French Legation to Department of State.—(Received May 6, 1865.)

[Translation.]

A recruiting office for Mexico is established in New York, in Thirty-second street, near the Hudson river. There is also designated a house on the corner

ıatham and Pearl streets, as serving as a rendezvous for recruits. It is ›ied by a person called Francis Laquer.

·. Ortega, lodging at the Barcelona hotel, Great Jones street, directs the tions. Mr. Ortega is at this moment in Washington. He would dispose ms in coined silver, and in ingots, part of which is deposited in the safe of arcelona hotel.

tega, accompanied by the proprietor of the Barcelona hotel, should have ıt within a few days past two thousand carbines—called Springfield rifles— armorer's named Stilwell, where they are still deposited, besides military s, &c.

e house should have sent twelve cases of arms to Philadelphia, where ıtions for an expedition are also making. A brig would be armed at the ›f Congress street, New York, at Atlantic dock, intended to carry men and to Matamoras; and two other ships—two steamers—preparing at Atlantic would be also destined to make part of the expedition.

ty-two men would have been sent from New York to Philadelphia.

No. 42.

Mr. Hunter to Mr. de Geofroy.

DEPARTMENT OF STATE,
Washington, May 10, 1865.

R: Referring to your note of the 5th instant, concerning the alleged em- nent of certain persons in endeavoring to organize an expedition to Mexico, ve the honor to inform you that it is stated in a letter of the 8th instant, the War Department, that whenever authenticated facts are submitted to department they will receive due consideration. It is presumed that at the this letter was written the memorandum which you left with me containing er representations on the subject had not been received, and it is believde the statement therein contained will engage the attention of the Secretary ar.

:cept, sir, a renewed assurance of my high consideration.

W. HUNTER, *Acting Secretary.*

·. L. DE GEOFROY, *&c.*

No. 43.

Mr. Hunter to Mr. de Geofroy.

DEPARTMENT OF STATE,
Washington, May 11, 1865.

R: Referring to your note of the 5th instant, relative to the organization ed to be in existence within the United States, having for its object the com- ›n of an expedition to Mexico, I have the honor to enclose, for your in- ıation, a copy of a communication of the 9th instant from the Attorney :ral.

:cept, sir, a renewed assurance of my high consideration.

W. HUNTER, *Acting Secretary.*

DE GEOFROY, *&c.*

Mr. Speed to Mr. Hunter.

ATTORNEY GENERAL'S OFFICE,
Washington, May 9, 1865.

SIR: I have the honor to acknowledge the receipt of your letters of the 6th and 8th instant, respectively, enclosing for my information copies of a note and memorandum addressed to your department by Mr. L. de Geofroy, relative to the alleged proceedings of certain persons, within the limits of the United States, to fit out expeditions to Mexico from our ports, and who may bring themselves within the provisions and penalties of the acts of Congress for the preservation of the neutrality of the United States. I thank you for this information, and will address, immediately, letters to the district attorney at New York, Philadelphia, Baltimore, and other places similarly situated, instructing them, in peremptory terms, to exercise the utmost vigilance in the detection and prosecution of persons who may be guilty of offences against the statutes referred to.

I enclose a copy of a letter on the subject, addressed to the district attorney at the city of New York.

A similar letter will be addressed to each of the law officers of the government in the other important districts.

I have the honor to be, very respectfully, your obedient servant,
JAMES SPEED, *Attorney General.*

Hon. W. HUNTER, *Acting Secretary of State.*

Mr. Ashton to Mr. Dickinson.

ATTORNEY GENERAL'S OFFICE,
Washington, May 9, 1865.

SIR: I have the honor to enclose you herewith copies of a note and memorandum received at the State Department from the legation of France, calling the attention of the government to certain proceedings alleged to be on foot in your district, and in other districts of the United States, for the purpose of fitting out expeditions to Mexico, with intent to violate the acts of Congress for the preservation of the neutrality of the United States. It is the desire of the government that you exercise proper vigilance and care in the detection and conviction of persons in your district who may bring themselves within the provisions and penalties of the statutes on that subject.

The enclosed documents may serve to indicate the movements of the persons alleged to be engaged in the fitting out such expeditions with sufficient fulness and precision to enable you, and the marshal of your district, to obtain evidence that will warrant the arrest and binding over of the guilty parties to be of good behavior, under the Constitution and laws, even if testimony sufficient to convict them cannot now be procured.

The Attorney General does not think it necessary to indicate the particular statutes on the subject of neutrality, with a view to direct you with regard to the means and methods of your procedure, in order to enforce the law and punish the guilty, with respect to the preservation of the neutrality of the government. He assumes that your acquaintance with the statutes, and zeal and fidelity in the execution of your office, will enable you, whenever a case fit for prosecution or conviction of the kind referred to is presented, to do all that a national sense of justice and dignity, or a foreign state interested in the subject, could require and demand of the executive department of the government of the United States.

You will please report the receipt of this letter, and the result of your investigation on the subject to which it relates.

Very respectfully, your obedient servant,

J. HUBLEY ASHTON,
Assistant Attorney General.

DANIEL S. DICKINSON, Esq.,
United States District Attorney, New York.

No. 44.

Memorandum from French Legation to Department of State.

[Translation.]

The enlistments continue at New York; the bounties are such as have been announced in the newspapers; the men are to take with them arms and munitions; a transport will be ready on Friday or Saturday for Tabasco.

Received May 16, 1865.
Attorney General informed May 17, 1865.

No. 45.

Mr. Seward to the Marquis de Montholon.

DEPARTMENT OF STATE,
Washington, June 12, 1865.

SIR: This department has official information that the insurgent commander at Brownsville, in Texas, after the surrender of his superior officer of the insurgent forces and public property in that quarter to the United States, clandestinely transferred to the authorities at Matamoras certain artillery and other articles, a part of those surrendered as aforesaid. As those articles became the property of the United States pursuant to the terms of the surrender, the authorities aforesaid could not acquire any title to them without the consent of this government; it is, consequently, expected that they will be restored. And you will oblige me, and may be instrumental in preventing further difficulties, if you should request the officer in command at Matamoras, who may have received the articles, to restore them to the officer of the United States in command at Brownsville without any delay which can conveniently be avoided.

I avail myself of this occasion, sir, to offer to you an assurance of my very high consideration.

WILLIAM H. SEWARD.

The MARQUIS DE MONTHOLON, *&c.*

No. 46.

The Marquis de Montholon to Mr. Seward.

[Translation.]

LEGATION OF FRANCE TO THE UNITED STATES,
Washington, June 15, 1865.

SIR: I have received the despatch you did me the honor to write to me on the 12th instant, by which you inform me that the commander of the rebel troops at Brownsville (Texas) must have clandestinely sent to the authorities at Mata-

moras a certain quantity of artillery and materiel of war, notwithstanding the capitulations signed by his superior, one of the clauses of which implied the surrender to the federal authorities of the insurgent forces and of all public property.

I immediately brought the fact to the knowledge of the government of the Emperor, and believe it to be my duty at the same time to communicate it to Marshal Bazaine, commander-in-chief of the French forces in Mexico, so that he may inform himself without delay of the fact which gave cause to the reclamation your excellency has addressed to me.

Accept, sir, the assurance of my very high consideration.

MONTHOLON.

Hon. WILLIAM H. SEWARD, *&c.*

No. 47.

Mr. Hunter to the Marquis de Montholon.

DEPARTMENT OF STATE,
Washington, June 22, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 15th instant, informing me of the steps you had taken to bring to the knowledge of the Emperor's government, and also to acquaint Marshal Bazaine, commander-in-chief of the French forces in Mexico, with the circumstances attending the clandestine and improper transfer of men and arms by the insurgent commander at Brownsville to the authorities at Matamoras.

I beg that you will accept my thanks for your prompt action in the matter.

I have the honor to be, with the highest consideration, sir, your obedient servant,

W. HUNTER,
Acting Secretary.

The MARQUIS DE MONTHOLON, *&c.*

No. 48.

Mr. Seward to the Marquis de Montholon.

DEPARTMENT OF STATE,
Washington, July 5, 1865.

SIR: It is not without a somewhat serious concern for the public peace that I bring to your notice the substance of information which this government has just now received, concerning the condition of affairs on the border which separates the United States from Mexico. This information is to the effect that all the public property belonging to the late insurgents in Texas, which could be removed, was subsequently to their surrender, but before the United States forces could occupy the country, transferred to the Mexican side of the Rio Grande; that the steamer Lucy Given, which was surrendered to the United States at Matagorda, was afterwards carried off, and, according to the latest intelligence, was anchored at Bagdad, in the Rio Grande, and that eight hundred and twenty bales of cotton, belonging to the insurgents, stored at Rio Grande City, were also carried across the river into Mexico.

I will thank you to call the attention of the military authorities of France in Mexico to this subject, in order that the property referred to may be restored, and that, with a view to tranquillity on that frontier, no similar proceeding may be encouraged or authorized.

I avail myself of this opportunity to renew the assurance of my high consideration.

WILLIAM H. SEWARD.

The MARQUIS DE MONTHOLON, &c.

No. 49.

The Marquis de Montholon to Mr. Seward.

[Translation.]

LEGATION OF FRANCE TO THE UNITED STATES,
Washington, July 6, 1865.

SIR: I have received the despatch you did me the honor to address to me on the 5th of this month, in which you inform me that a great part of the public property of the insurgents of Texas would be, after the capitulation and before the federal troops could have occupied the country, transported across the Mexican river Rio Grande; that the steamer Lucy Given, surrendered to the government of the United States, must have been carried off, and be now at anchor at Bagdad; and, lastly, that eight hundred and twenty bales of cotton, belonging to the insurgents and collected at Rio Grande City, must, in like manner, have been transferred to the other side of the river.

I will hasten, sir, to bring these facts to the notice of the government of the Emperor, and will at the same time make report of it to his excellency Marshal Bazaine, commander-in-chief of the French forces in Mexico.

As I had the honor to inform you on the 15th June, I have called the attention of his excellency Marshal Bazaine to the facts related in the despatch which you did me the honor to address to me under date of June 12. Even before having received my letter the marshal had hastened to inform me of the latest events occurred on the Rio Grande.

It results, from the intelligence he addresses to me at date of June 19, that a meeting had taken place among the confederate troops at the moment of disbanding them, and that one Colonel Fisher, who had served under Juarez, having tried to get possession of some part of the material of the place, that is, six cannon and two forges, to put them in the hands of the Juarists. General Stoughton, in order to stop this act from happening, sent this material across the Mexican river. Marshal Bazaine informs me that General Mejia immediately caused it to be inventoried and placed on deposit at Matamoras, so that it may be remitted to the disposal of the government of the United States.

Marshal Bazaine also apprises me that he has given the various columns which are operating in Mexico the most precise orders, for the purpose of avoiding all that might give umbrage to the government of the United States.

I hasten to bring these facts to your knowledge, as a fresh proof that the authorities are in no way disposed to encourage or authorize any act of a nature to compromise the good relations which they desire to maintain with the federal authority on the frontier of Mexico.

Accept, sir, the assurance of my high consideration.

MONTHOLON.

Hon. WILLIAM H. SEWARD, &c.

No. 50.

Mr. Hunter to the Marquis de Montholon.

DEPARTMENT OF STATE,
Washington, July 31, 1865.

SIR: I have the honor to enclose a copy of a letter of the 22d instant from the Secretary of the Navy, and of that of the 10th instant, referred to therein, relative to the case of the United States merchant steamer Sonora.

I hope that you may deem it proper to take such steps as may be in your power towards securing the restoration of the steamer to Mr. Clavel or his agents.

Accept, sir, a renewed assurance of my highest consideration.

W. HUNTER,
Acting Secretary.

The MARQUIS DE MONTHOLON, *&c.*

Mr. Welles to Mr. Seward.

NAVY DEPARTMENT,
Washington, July 22, 1865.

SIR: I have the honor to refer to you the accompanying letter, dated the 10th instant, addressed to this department by Mr. F. Clavel, of New Orleans, Louisiana, who appeals to the government to aid him in repossessing himself of the steamer Sonora, which he states formerly belonged to him; was captured by her crew, or a part of it, taken into an insurgent port, subsequently run out, and is now, or was recently, at Tampico, where she appears to have been detained at the request of Mr. Chase, the United States consul general.

Very respectfully, &c.,

GIDEON WELLES,
Secretary of the Navy.

Hon. WILLIAM H. SEWARD, *Secretary of State.*

Mr. Clavel to Mr. Welles.

NEW ORLEANS, *July* 10, 1865.

EXCELLENCY: The undersigned respectfully begs leave to state that he is the owner of the steamer Sonora, belonging to the district of New Orleans, where she was registered on the 25th of February, 1864.

On the 16th of November, 1864, when on her way from Brazos Santiago to this port, she was forcibly captured by a part of her crew, who ran her into Aransas bay, where they delivered her to the rebel authorities. She was condemned as being the property of a citizen of the United States, and sold for the sum of eleven thousand dollars in gold, which was divided among the captors. The crew had been shipped, and every one of them had taken the oath of allegiance to the United States.

Owing to the strict watch kept by the vessels of the western Gulf blockading squadron, she did not leave Aransas bay before the 9th of June, 1865, after having learned the surrender of Texas, flying the rebel flag, bound to Tampico, where she arrived on the 12th of said month.

The above stated facts will easily demonstrate that the capture of the steamer Sonora was a wrongful act of piracy, and her subsequent sailing from Aransas

Pass, after the surrender of Texas, is another confirmation of the illegality of her capture.

The undersigned hopes that your excellency will afford him the protection of our powerful government to help him to recover his vessel. She is now detained in the port of Tampico by the demand made by Mr. Franklin Chase, United States consul, for her delivery to him, as being the property of an absent American citizen, piratically taken from him.

The undersigned, in a letter by him received from Mr. Chase, United States consul at Tampico, is advised by him to furnish your excellency with all the information in his power. The above statement is made to that effect.

Respectfully submitted.

F. CLAVEL,
77 Magazine Street, New Orleans, Louisiana.

His Excellency the Hon. SECRETARY OF THE U. S. NAVY,
Washington. D. C.

No. 51.

The Marquis de Montholon to Mr. Hunter.

[Translation.]

LEGATION OF FRANCE TO THE UNITED STATES,
Washington, August 4, 1865.

SIR: I hasten to let you know that I have just received from his excellency Marshal Bazaine a despatch announcing to me that thegovernment of Mexico has decided that the American materiel unduly taken over to the Mexican bank on the surrender of Brownsville, to which the letter of your excellency addressed to me the 12th July relates, should be restored without delay to the federal authorities, and that orders were immediately sent to Matamoras to assure the execution of this decision.

Accept, sir, the assurances of my high consideration.

MONTHOLON.

Hon. W. HUNTER, &c.

No. 52.

Mr. Seward to the Marquis de Montholon.

DEPARTMENT OF STATE,
Washington, August 8, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 4th instant, in which you inform this department that, in compliance with the request contained in my note of the 5th ultimo, the French military authorities in Mexico have decided upon the restoration to this government of the public property which, on the surrender of Brownsville by the insurgents, was taken over to the Mexican banks of the Rio Grande.

Accept, sir, the renewed assurances of my high consideration.

WILLIAM H. SEWARD.

The MARQUIS DE MONTHOLON, &c.

No. 53.

The Marquis de Montholon to Mr. Hunter.

[Translation.]

LEGATION OF FRANCE TO THE UNITED STATES,
Washington, August 8, 1865.

SIR: I have the honor to acknowledge the receipt of your letter of date 31st July last, and also of the annexes which have relation to the affair of the merchant vessel the Sonora.

I will hasten, sir, to communicate the claim of Mr. Clavel to the competent Mexican authorities, and to testify to them the interest which the government of the United States takes in the adjustment of this affair.

Accept, sir, the assurance of my high consideration.

MONTHOLON.

Hon. WILLIAM HUNTER, *&c.*

No. 54.

Mr. Seward to the Marquis de Montholon.

DEPARTMENT OF STATE,
Washington. September 13, 1865.

SIR: Referring to my note of the 31st of July last, concerning the desired restoration of the steamer Sonora to her owner, Mr. F. Clavel, and thanking you for your reply of the 8th ultimo, I have the honor to enclose, in support of the claim, a copy of the letter of the 18th ultimo, from D. Lanzac, esq., of New Orleans, attorney for Mr. Clavel and of the documents which accompanied it, from which it appears that Mr. Clavel has gone in person to Tampico, taking with him other documents bearing upon his claim to ownership.

The account of the transaction in regard to this vessel, derived from the papers which have been laid before you, is to the effect that the steamer Sonora was, on the 25th of February, 1864, duly registered in New Orleans, Louisiana, as a vessel belonging to the United States merchant service; that on the 16th day of November, 1864, when on her way from Brazos Santiago to New Orleans, she was forcibly captured by a part of her crew, who ran her into Aransas bay, where she was delivered by these piratical captors to agents of the insurgents, who are reported to have caused a pretended condemnation and sale of the vessel; the proceeds of which pretended sale, being the sum of eleven thousand dollars in gold, are said to have been divided among the capturing pirates, who had shipped on the Sonora as citizens of the United States, upon taking the oath of allegiance as such; that owing to the strict watch kept by the vessels of the United States blockading squadron, the Sonora was prevented from leaving Aransas bay before the 9th of June, 1865, when she sailed for Tampico, flying the insurgent flag.

Under these circumstances this government holds that the before-named steamer is the property of Mr. F. Clavel, and that the parties who navigated her to Tampico are trespassers and intruders, having no rights or authority in her; that the acts by which she came into their custody were piratical and fraudulent. It is therefore hoped that, so far as it might depend upon the agents of the imperial government, every facility will be afforded to Mr. Clavel to regain possession of the vessel.

Accept, sir, a renewed assurance of my high consideration.

WILLIAM H. SEWARD.

The MARQUIS DE MONTHOLON, *&c.*

Mr. Lanzac to Mr. Hunter.

NEW ORLEANS, *August* 18, 1865.

SIR: In reply to yours of 31st July, concerning steamship Sonora, I have to state that Mr. F. Clavel went to Brazos Santiago per schooner Mary Moulis, to have in the port of Matamoras, Mexico, an opportunity more easy than here to go to Tampico, as advised to do by the United States consul general, Mr. Franklin Chase.

Enclosed you will find copies of bill of sale by C. H. Delmater, in New York, to F. Clavel, and copy of register of custom-house in New Orleans.

Mr. F. Clavel took along to Tampico—

1. Log-book of steamer Sonora, brought back by Captain George M. Goodspeed.

2. Affidavits of T. Riondel and Thomas Delaney, firemen on board last trip the steamer made, stating the piratical capture.

3. Copies of register and bill of sale.

Since four weeks, about, Captain George M. Goodspeed, now commanding United States quartermaster's department steamer Ruthven, plying between Galveston and Houston, Texas, is requested to send his affidavit and protest about the piratical seizure of the steamer by most of her own crew, but to this moment I did not receive any. As soon as to hand, I will send it to you.

Two firemen and the cook are in New Orleans at present.

If I could do anything in this matter during the absence of Mr. F. Clavel, you will be so kind as to advise me.

Most respectfully, I have the honor to remain your obedient servant,

D. LANZAC, 76 *Orleans street.*

W. HUNTER, Esq.,
Department of State, Washington, D. C.

Know all men by these presents, that I, Cornelius H. Delmater, of the city of New York, owner of the steamer called the Ouachita, of the burden of $79\frac{47}{100}$ tons or thereabouts, for and in consideration of the sum of ten thousand five hundred dollars, lawful money of the United States of America, to me in hand paid before the sealing and delivery of these presents by F. Clavel, the receipt whereof is hereby acknowledged, have and by these presents do grant, bargain, sell, assign, transfer, and set over unto the said F. Clavel, his executors, administrators and assigns, the said steamer, together with all and singular her masts, yards, sails, rigging, anchors, cables, boats, tackle, apparel, and appurtenances; to have and to hold the said steamer and appurtenances thereunto belonging, unto the said F. Clavel, his heirs, his executors, administrators and assigns, forever.

And I, the said Cornelius H. Delmater, for myself, my heirs, executors, and administrators, do hereby covenant and agree to and with the said F. Clavel, his heirs, his executors, administrators and assigns, that at the execution of these presents I am the true and lawful owner of the said steamer Ouachita, and appurtenances, and I now have full right and authority to sell and dispose of the same, freed from and cleared of all claims, incumbrances, or demands whatsoever.

In witness whereof, I have hereunto set my hand and seal at the city of New Orleans, the fourth day of September, in the year of our Lord one thousand eight hundred and sixty-three.

C. H. DELMATER.

Signed, sealed, and delivered in the presence of—
A. C. WILMARTH.

STATE OF NEW YORK,
City and County of New York, ss:

On the 4th day of September, 1863, before me personally came Cornelius H. Delmater, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged to me that he executed the same.

A. C. WILMARTH,
Notary Public, New York, 41 *Chambers street.*

CUSTOM HOUSE, *New Orleans, August* 10, 1865.

I do hereby certify that the above is a true copy of the record on file in this office.

S. A. STOCKDALE,
Deputy Collector.

In pursuance of an act of Congress of the United States of America, entitled "An act concerning the registering and recording of ships or vessels," F. Clavel, of New Orleans, State of Louisiana, having taken or subscribed the oath required by the said act, and having sworn that he is a citizen of the United States, and the only owner of the ship or vessel called the Sonora, of New Orleans, whereof J. Hayes is at present master and a citizen of the United States, as he hath sworn, and that the said ship or vessel was formerly the British schooner Ouachita, captured and condemned as a prize, and sold by the United States marshal of the district of New York; and documents on file in this office having certified that the said ship or vessel has one deck and two masts, and that her length is 116 feet, her breadth 16 feet, her depth 6 feet 6 inches; that she measures $116\frac{5}{95}$ tons; that she is a steamer, has square stern, and round truck; and the said F. Clavel having agreed to the description and admeasurement above specified, and sufficient security having been given according to the said act, the said steamer has been duly registered at the port of New Orleans.

WILLIAM BULLIT,
Deputy Naval Officer.

Given under our hand and seal at the port of New Orleans, this 25th day of February, in the year 1864.

JOHN F. COLLINS,
Deputy Collector.

I hereby certify the above is a true copy of original on file in this office.

S. A. STOCKDALE,
Deputy Collector.

No. 55.

The Marquis de Montholon to Mr. Seward.

[Translation.]

LEGATION OF FRANCE TO THE UNITED STATES,
Washington, October 19, 1865.

SIR: I feel myself obliged to call the attention of your excellency to certain facts that occurred this year on the Rio Grande, and which seem to be in exact opposition to the repeated assurances your excellency has given me concerning the desire of the cabinet at Washington to preserve the most strict neutrality in the events now taking place in Mexico.

It is scarcely necessary for me to add, that I am convinced that the said facts occurred without the knowledge of the federal government, and that they must be the result of the negligence of subordinate agents. I do not hesitate, therefore, to inform you of them, convinced that it is only necessary to bring them to your notice in order to prevent their future occurrence.

The information conveyed to his Majesty's government states that the dissenting forces of Cortinas are recruiting many American colored persons, and that this partisan chief passes and repasses the Texan frontier whenever he pleases, going to Brownsville (Texas) to get whatever he needs.

About the end of July last Cortinas attacked the steamer Señorita on the river, loaded with cotton, taken on board at Camargo, and destined for Matamoras. The attack occurred on Texas ground, and the captured vessel was made fast to the Texan shore, where she has remained in possession of the dissenters since the 27th of July.

In the course of the same month a convoy of goods was to start for Monterey. Cortinas, who was in Brownsville, heard of it, and enlisted men publicly to attack it. His armed troops crossed the river, and the convoy would have certainly fallen into his hands but for the vigilance of the imperial authorities.

In fine, it is well known that Cortinas's men ride and walk armed in the streets of Brownsville, with ribbons on their hats, indicating the number of the guerilla band to which they belong.

It would be difficult for neutrality to be more openly violated, and that facts more grave should occur to contradict the assertions which your excellency has given me in the name of your government.

I will be very much obliged to you, then, if you will cause to be issued the orders necessary to prevent the renewal of any such acts in future.

Accept the assurances of my distinguished consideration.

MONTHOLON.

Hon. WILLIAM H. SEWARD, *&c.*

No. 56.

Mr. Seward to the Marquis de Montholon.

DEPARTMENT OF STATE,
Washington, October 31, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 19th instant in regard to violation of neutrality of the United States alleged to have taken place recently on the Rio Grande. In reply, I have the honor to inform you that I have requested the Secretary of War to cause the matter to be inquired into with a view to the adoption of such proceedings as may be called for.

Accept, sir, a renewed assurance of my highest consideration.

WILLIAM H. SEWARD.

The MARQUIS DE MONTHOLON, *&c.*

No. 57.

Mr. Seward to the Marquis de Montholon.

DEPARTMENT OF STATE,
Washington, November 10, 1865.

SIR: I have the honor to recur to your note of the 19th ultimo, in which complaints are made of violations of the neutrality of the United States on the Rio Grande, and to my note of the 31st of October, acknowledging the receipt thereof.

The first complaint is, that the "dissenting forces of Cortinas are recruiting many colored persons, and that this partisan chief passes the Texan frontiers whenever he pleases, going to Brownsville to procure whatever he needs." These representations were submitted to the Secretary of War for such information and such opinion as he might think proper to submit to the President.

It appears that upon these points the Secretary of War has no information. Major General Sheridan was instructed to preserve the same neutrality that had been observed towards the United States by the French or imperial party, when Brownsville and the greater portion of the Rio Grande was held by the rebels. If it should be ascertained that the insurgents had been able to cross and recross the Mexican frontier at will, and go into Matamoras with a view of obtaining what they required, then existing instructions might authorize a corresponding course on the part of this government towards the liberals. The Secretary of War is not aware of the existence of any regulation which prevents either imperialist or liberal from crossing the Texas frontier, or proceeding to Brownsville to make purchases; and if recruiting has been allowed by officers in command, it has been without the authority of the Secretary of War I am of opinion that, American emigration having been invited to Mexico by the imperial party, there is neither law nor order preventing it; and that, as the republican government of Mexico is acknowledged by the United States, there can be properly no objection urged to such of their citizens as may choose going to Mexico, and taking, when there, whichever side they may prefer.

It is admitted that while the United States hold their present attitude towards Mexico, military commanders should not allow either party to recruit soldiers upon United States territory.

With regard to the second complaint, namely, that "about the last of July, 1865, Cortinas attacked the steamer Señorita on the river, loaded with cotton, taken on board that vessel at Camargo, and destined for Matamoras; that the attack occurred on Texas ground, and that the captured vessel was made fast to the Texas shore, where she has remained in possession of the dissenters since the 27th of July last; that in the course of the same month a convoy of goods was to start for Monterey, and that Cortinas, who was in Brownsville, heard of it, and enlisted men openly to attack the convoy; his armed troops crossed the river," &c., it is conceded that, if the facts were as represented, the conduct of the commander at Brownsville was entirely inexcusable. These complaints have been referred to Major General Sheridan, commanding the military division of the Gulf, with suitable instructions and directions to report the facts as to what had previously occurred.

It is stated by the Secretary of War that the United States have a long frontier upon the Rio Grande, where none of our troops are stationed; that either of the belligerents might easily commit acts of war upon the other from United States soil without such acts being known in time to prevent them.

Accept, sir, a renewed assurance of my very high consideration.

WILLIAM H. SEWARD.

The MARQUIS DE MONTHOLON, *&c.*

No. 58.

The Marquis de Montholon to Mr. Seward.

[Translation.]

LEGATION OF FRANCE TO THE UNITED STATES,
Washington, November 23, 1865.

SIR: Your note of the 10th November, in answer to mine of the 19th of October last, about events that had transpired on the Rio Grande frontier last year,

informed me that the Secretary of War had ordered an investigation of some of the acts I complained of, particularly the capture of the steamer Señorita, you even added that if the facts were as you represented to me, it was evident the military commander in Brownsville was in the wrong.

I have just received from his Majesty's acting consul in New Orleans the annexed claim of the French commercial house of L. Mouler & Co., owners of thirty-five bales of cotton, part of the cargo of the steamer Señorita.

As your excellency will see by reference to the appended documents, Mr. Mouler's complaint coincides fully with others from a different source, and seems to confirm the verity of the first reports that reached me.

The house of Mouler & Co. now claims of the United States government, as indemnity, the sum of ten thousand and thirty-seven dollars ($10,037) for the loss of cotton, said to have been caused by the United States.

I will be very much obliged to your excellency if you will cause this claim to be put into the hands of the proper authorities, and let me know the result of the decision as soon as possible.

Accept the assurances of my high consideration.

MONTHOLON.

Hon. WILLIAM H. SEWARD, *&c., Washington, D. C.*

[Translation.]

Claim of Mouler & Co.—The substance.

The French commercial house of Mouler & Co. sends a claim for $10,037 84 against the United States, for the loss of thirty-five bales of cotton, caused by act of the United States, to the consul.

NEW ORLEANS, *October* 27, 1865.

SIR: In June last Messrs. Maithes & Garza, of Camargo, Mexico, bought thirty-five bales of cotton on our account, and paid the duty to the imperial government of Mexico, and also to Juarez's agents, when they took possession of that port.

The house of Maithes & Garza shipped this cotton to us on the 21st of June, 1865, in the Mexican steamer Señorita, which was seized by the Juarist General Cortinas, and landed in the United States territory on the Texas side of the Rio Grande river.

We applied to the federal military authorities having the entire control of that part of the United States, but they showed no anxiety to return us our property, or even to order its sequestration, and sent us to the Mexican republican courts, which is a denial of justice or an act of derision.

Under these circumstances, all that remained for us to do was to request you to transmit to his excellency the minister of the Emperor in Washington the claim of $10,037 84 in gold, which we make against the United States government, and herewith send you, with all the corroborating evidence.

Accept, sir, our respectful salutations.

L. MOULER & CO.

STATE OF LOUISIANA, *Parish of Orleans:*

Before me, Pierre Coudrain, a notary public for the parish of Orleans, duly qualified and sworn, personally appeared Mr. Réné Dumestre, born at Siarrony, canton of Vis de Bigorre, (Upper Pyrenees,) one of the partners in the house of Mouler & Dumestre, established in this city of New Orleans, No. 109 Chartres street, and at Matamoras, under the firm of L. Mouler & Co., who, having been sworn according to law, says and declares:

1. That the house of Mouler & Co., established at Matamoras, is a French commercial house, and consists of Louis Mouler, Austin Caunere, Jules Desca, and this affiant, all French subjects; that none of its members have violated the neutrality commanded by the Emperor of the French in the conflict between the government of the United States and certain States assuming the name of Confederate States.

2. That on the 21st of June, 1865, Messrs. Maithes & Garza shipped at Camargo, Mexico, on the Mexican steamer Señorita, on account of L. Mouler & Co., of Matamoras, Mexico, thirty-five (35) bales of cotton, as shown by the original bill of lading, delivered by the captain of the said steamer, annexed to the present affidavit, and of which an authentic copy is annexed to the duplicates of this document.

3. That it is shown by a Spanish document, annexed to one of these patents, delivered by the custom-house collector at Camargo, Mexico, that the thirty-five bales of cotton shipped on the Mexican steamer Señorita had paid to the republican and also to the imperial government, at different times, (27th May, 1865, and 21st June, 1865,) its entry dues.

4. That the Mexican steamer Señorita, on the way from Camargo to Matamoras, was captured by General Cortinas, of the Juarist army, and a part of the cargo were the thirty-five bales of cotton shipped by the house of L. Mouler & Co., and belonging to them.

5. That the capture of this Mexican steamer Señorita is a fact too notorious to require proof of its seizure.

6. That these thirty-five bales of cotton were placed by the said General Cortinas on the farm of Mrs. Stephen Goseaseochea, who they say is Cortinas's mother, situated on the left bank of the Rio Grande, in Texas, and upon territory of the republic of the United States.

7. That the firm of L. Mouler & Co., on the 15th and 22d of June, 1865, through its agent, Mr. Maithes, of the house of Maithes & Garza, tried to get the cotton from the federal military authorities, then controlling that portion of United States territory, exhibiting to them all proof of ownership.

8. That the federal authorities showed no inclination to do justice to the French commercial house of L. Mouler & Co., of Matamoras, and finally referred them to the *courts of the Mexican republic.*

9. That these thirty-five bales of cotton were sold by General Cortinas without opposition on the neutral territory of the United States, though they belonged to the French house of L. Mouler & Co., and the present affiant claims its value for his principal from the United States.

10. That these thirty-five bales of cotton intended to be shipped and sold in New York by the house of L. Mouler & Co., of Matamoras, where they would have probably arrived the 15th of July, 1864, was of the quality of good middling.

11. That these thirty-five bales of cotton average 475 pounds weight per bale, or sixteen thousand six hundred and twenty-five pounds, (16,625.)

12. That this affiant, in the name of L. Mouler & Co., will now fix the value of the said cotton in the New York market on the 15th of July, 1865, deducting the ordinary charges.

ACCOUNT OF THE VALUE OF THIRTY-FIVE BALES OF COTTON.

13. At the 15th July, 1865, good middling cotton was worth fifty cents a pound in New York, in United States treasury notes—that is, eight thousand three hundred and twelve dollars and fifty cents for the 16,625 pounds.

From this sum is to be deducted: 1. The insurance from Matamoras to New York, to have been paid by L. Mouler & Co., of five per cent. on the value of thirty-five (35) bales of cotton in Matamoras, which was thirty cents in gold

per pound—that is, four thousand nine hundred and eighty-seven dollars and fifty cents ($4,987 50) for the sixteen thousand six hundred and twenty-five (16,625) pounds, making a sum of two hundred and forty-nine dollars and thirty seven cents ($249 37) in gold, or at the premium in New York, (forty-two,) the sum of three hundred and fifty-four dollars and eleven cents ($354 11) in United States treasury notes. 2. The freight to have been paid by this affiant to New York, at the rate of two cents a pound, in United States treasury notes, or $332 50 for the sixteen thousand six hundred and twenty-five (16,625) pounds, making $332 50. 3. The import duty at the rate of two cents a pound in gold, (act of Congress approved the 30th of June, 1864,) or two hundred and eighty-four thousandths (0.0284) of a dollar in United States treasury notes, or four hundred and seventy-two dollars and fifteen cents in United States treasury notes, for the sixteen thousand six hundred and twenty-five pounds, (16,625,) making $472 15. The total deduction will be $1,158 76, leaving the net profit on the thirty-five bales of cotton in United States treasury notes at $7,153 74.

14. That this sum of $7,153 74 cents in the United States treasury notes represents in gold, the premium in New York on the 15th of July, 1865, being 42, the sum of five thousand and thirty-seven dollars and eighty-four cents, ($5,037 84,) what the cotton would have brought in New York at that time.

15. That this retention of property and denial of justice has caused the house of L. Mouler & Co. considerable damage, inasmuch as they have thus lost the use of that capital; and the affiant can adduce proof that the damage has amounted to five thousand dollars in gold, ($5,000,) which sum the house of L. Mouler & Co., all the members of which are French subjects, claim in damages from the United States. 1. The sum of five thousand and thirty-seven dollars and eighty-four cents ($5,037 84) in gold, the value of the thirty-five bales of cotton of which the house of L. Mouler & Co. has been despoiled. 2. The sum of five thousand dollars ($5,000) in gold, as damages and interest. In all, the sum of ten thousand and thirty-seven dollars and eighty-four cents ($10,037 84) in gold, for the reason and causes above mentioned.

R. DUMESTRE.

Sworn to and subscribed before me, in New Orleans, on the 21st of October, 1865.

[SEAL.]

P. COUDRAIN, *Notary Public.*

[Translation.—No. 2.]

THE AUDITOR (CONDADOR) CHARGED WITH THE ADMINISTRATION OF THE FRONTIER CUSTOM-HOUSE OF THIS CITY.

I hereby certify that the importation No. 45, dated 29th of May last, made by Messrs. Lopez & Garcia, to the number of three hundred and fifty bales of cotton, has paid all expenses in this office, as appears from the proper day-book, page 72, policy No. 170; and at the request of those interested, and for legal purposes, I give this present copy in Camargo, the 3d of June, 1865.

Auditor in charge,

JESUS P. MARTE.

STATE OF LOUISIANA, *Parish and City of New Orleans:*

I, Pierre Coudrain, a notary public duly commissioned and sworn in and for this parish and city of New Orleans, do hereby certify that the above and foregoing is a true and correct copy of the original, produced and exhibited to me this day by Mouler & Co.; that I have signed said original "*ne varietur*," at

the date hereof, in order to identify it herewith, and delivered the whole to said Mouler & Co.

In witness whereof, I have hereunto signed my name and affixed the impress of my seal of office, at New Orleans, this second day of October, A. D. [SEAL.] 1865, and the ninetieth year of the independence of the United States of America.

P. COUDRAIN, *Notary Public.*

[Translation.—No. 3.]

I, C. Whitaker, a citizen of Matamoras, and owner of the steamer Señorita, say it is true, and acknowledge to have received from Messrs. Maithes and Garza, merchants of this place, the following effects: Thirty-five (35) M. & G. bales of cotton, marked and numbered as in margin; entered, weighed, dry and in good condition, to my entire satisfaction, to be carried to Matamoras in due time, and delivered in the same condition to Messrs. Mouler & Co.; and the faithful and legal delivery having been made, I am to be paid for the freight, at the rate of $8 per every bale; and to fulfil the same, I bind myself and my property, and sign these bills of lading, of the same tenor, and for a single effect.

PORT OF CAMARGO, *June* 21, 1865.

C. WHITAKER.

Amount of freight, $280.

(In margin: Not responsible for old damages.)

STATE OF LOUISIANA, *Parish and City of New Orleans:*

I, Pierre Coudrain, a notary public duly commissioned and sworn in and for this parish and city of New Orleans, do hereby certify that the above and foregoing is a true and correct copy of the original, produced and exhibited to me this day by Mouler & Co.; that I have signed said original "*ne varietur*," at the date hereof, in order to identify it herewith, and delivered the whole to said Mouler & Co.

In witness whereof, I have hereunto signed my name and affixed the impress of my seal of office, at New Orleans, this 2d day of October, A. D. [SEAL.] 1865, and the ninetieth year of the independence of the United States of America.

P. COUDRAIN, *Notary Public.*

[Third class—two reals.—No. 1.]

Mexican empire—opened for the year 1864–'65, according to section 3d of act 41 of the law of February, 1856.

MATAMORAS, *May* 19, 1865.

Administrator, H. Galvan. Police prefect, Pedro y de la Gazza.

THE ADMINISTRATOR OF THE FRONTIER CUSTOM-HOUSE OF CAMARGO.

I hereby certify that the steamer Señorita left the town of Camargo on the 21st of June, of the present year, with thirty-five (35) bales of cotton, the property of Maithes and Garza, imported into said town by Mark, M. & G. Messrs. Lopez & Garcia, and shipped to Matamoras, to the consignment of Messrs. Mouler & Co.; and at the request of persons interested, I give the present, at Matamoras, on the 21st of July, 1865.

The administrator, J. MA. ROSS.

STATE OF LOUISIANA, *Parish and City of New Orleans:*

I, Pierre Coudrain, a notary public duly commissioned and sworn in and for this parish and city of New Orleans, do hereby certify that the foregoing is a true and correct copy of the original, produced and exhibited to me this day by Mouler & Co.; that I have signed said original "*ne varietur*," at the date hereof, in order to identify it herewith, and delivered the whole to said Mouler & Co.

In witness whereof, I have hereunto signed my name and affixed the impress of my seal of office, at New Orleans, this 2d day of October, A. D. 1865, and the ninetieth year of the independence of the United States of America.

[SEAL.] P. COUDRAIN,
Notary Public.

The administrator and auditor of the frontier custom-house of Camargo certify that the custom-house of this city, under imperial orders, issued a permit, No. 26, for thirty-five (35) bales of cotton, shipped by Messrs. Lopez & Garcia to Matamoras on the steamer Señorita, and consigned to Messrs. L. Mouler & Co., import No. 45, date 27th instant, as appears from policy No. 170, folio 72, of the day-book in which the office accounts are kept, the duties having been paid to the liberal government at the time of importation.

The mark of the cotton is seen in the margin, and for the use of those interested I give the present in the said town of Camargo, on the 24th of July, 1865.

VIVIANO G. PERES.
V. FEJEDA.

STATE OF LOUISIANA, *Parish and City of New Orleans:*

I, Pierre Coudrain, a notary public duly qualified and sworn in and for the parish and city of New Orleans, do hereby certify that the above and foregoing is a true and correct copy of the original now produced and exhibited to me by Mouler & Co.; that I have signed said original "*ne varietur*," at the date hereof, in order to identify it herewith, and delivered the whole to Mouler & Co.

In witness whereof, I have hereunto signed my name and affixed the impress of my seal of office at New Orleans, this 29th day of September, 1865, and of the independence of the United States of America the ninetieth.

[SEAL.] P. COUDRAIN,
Notary Public.

STATE OF LOUISIANA,
Executive Department.

By J. Madison Wells, Governor of said State, to all who shall see these presents, greeting:

Know ye, that the document hereto annexed is in due form, and made by the proper officer, and that Pierre Coudrain, whose name is subscribed thereto, was, at the time of subscribing the same, notary public for Orleans parish, duly appointed and commissioned, and full faith and credit are due and ought to be given to his official acts accordingly.

Given under my hand and seal of the State at the city of New Orleans, this twenty-eighth day of October, in the year of our Lord one thousand eight hundred and sixty-five, and of the independence of the United States of America the ninetieth.

[SEAL.] J. MADISON WELLS.

By the governor:
S. WROTNOWSKI, *Secretary of State.*

No. 59.

The Marquis de Montholon to Mr. Seward.

[Translation.]

WASHINGTON, *November* 29, 1865.

MY DEAR SIR: Conforming to the desire you expressed to me, I send you, herewith, a copy and translation of Mr. Drouyn de Lhuys's despatch, the contents of which I have had the honor to read to you.

With the highest regards, I remain, my dear sir, respectfully yours,

MONTHOLON.

Hon. WILLIAM H. SEWARD, *Secretary of State, &c.*

Monsieur Drouyn de Lhuys to the Marquis de Montholon.—(Confidential.)

[Translation.]

MINISTRE DES AFFAIRES ÉTRANGERES,
Paris, October 18, 1865.

MONSIEUR LE MARQUIS: I have taken several occasions since two months to advise you of the dispositions of the imperial government concerning the duration of the occupation of Mexico by the French troops. I told you, in my despatch of August 17, that we called with our most sincere wishes for the day when the last French soldier should leave the country, and that the cabinet of Washington could contribute to hasten that moment. On the 3d of September I renewed to you the assurance of our strong desire to withdraw our auxiliary corps so soon as circumstances should allow it. At last, following the same ideas more fully, in a private letter of the 10th of the same month, I added that it greatly depended upon the United States to facilitate the departure of our troops. If they would adopt toward the Mexican government an amicable attitude which would aid to the consolidation of order, and in which we could find motives of security for the interests which obliged us to carry arms beyond the Atlantic, we would be ready to adopt without delay the bases of an understanding on this subject with the cabinet of Washington; and I wish to make fully known to you now the views of the government of his Majesty.

What we ask of the United States is to be assured that their intention is not to impede the consolidation of the new order of things founded in Mexico; and the best guarantee we could receive of their intention would be the recognition of the emperor Maximilian by the federal government.

The American Union should not, it seems to us, be kept back by the difference of institutions, for the United States have official intercourse with all the monarchies of Europe and the New World. It is in conformity with their own principles of public law to regard the monarchy established in Mexico as being, at least, a government *de facto*, without particular regard to its nature or its origin, which has been consecrated by the suffrage of the people of that country; and in thus acting the cabinet of Washington would only be inspired by the same feelings of sympathy which President Johnson expressed recently to the envoy of Brazil, as guiding the policy of the United States toward the younger states of the American continent.

Mexico, it is true, is still occupied at this moment by the French army, and we can readily see that this objection will arise. But the acknowledgment of the emperor Maximilian by the United States would, in our opinion, have sufficient influence upon the state of the country to allow us to take in consideration their susceptibilities on this subject; and should the cabinet of Washing-

ton decide to open diplomatic relations with the court of Mexico, we would see no difficulty to enter in arrangement for the recall of our troops within a reasonable period of which we would—might consent to fix the termination.

In consequence of the vicinage and immense extent of the common frontier, the United States are, more than any other power, interested to see their trade with Mexico placed under the safeguards of stipulations in harmony with the mutual wants of both countries. We would most readily offer our good offices to facilitate the conclusion of a commercial treaty, thereby cementing the political "rapprochement," the bases of which I have just made known to you.

By order of the Emperor, I invite you to make known to Mr. Seward the disposition of his Majesty's government.

You are authorized, if you think it proper, to read him the contents of this despatch.

I remain,

DROUYN DE LHUYS.

The MARQUIS DE MONTHOLON, *&c.*

No. 60.

Mr. Seward to the Marquis de Montholon.

DEPARTMENT OF STATE,
Washington, December 4, 1865.

SIR: I have the honor to acknowledge the receipt of your communication of the 23d ultimo, in regard to the claim of Messrs. L. Mouler & Company, on account of their alleged loss of thirty-five bales of cotton in consequence of the seizure of the steamer Señorita by the Mexican General Cortinas, who is reported to have landed the cargo on the Texas side of the Rio Grande, and there to have disposed of it.

In reply, I have the honor to inform you that I have referred the claim to the Secretary of War for investigation.

Accept, sir, a renewed assurance of my highest consideration.

WILLIAM H. SEWARD.

The MARQUIS DE MONTHOLON, *&c.*

No. 61.

Mr. Seward to the Marquis de Montholon.

DEPARTMENT OF STATE,
Washington, December 6, 1865.

SIR: Having made known to the President the Emperor's views on Mexican affairs which you communicated to me on the 29th ultimo, I have now the honor to inform you of the disposition of this government in regard to the same subject. It seems proper, however, for me to say, in the first place, that what I have to communicate has been already fully made known to Mr. Bigelow, with authority, in his discretion, to impart the same to Mr. Drouyn de Lhuys.

The effect of the Emperor's suggestions when they are reduced to a practical shape seems to be this: that France is willing to retire from Mexico as soon as she may, but that it would be inconvenient for her without first receiving from the United States an assurance of a friendly or tolerant disposition to the power which has assumed to itself an imperial form in the capital city of Mexico. The President is gratified with the assurance you have thus given of the Emperor's good disposition. I regret, however, to be obliged to say that the condition the Emperor suggests is one which seems quite impracticable.

It is true, indeed, that the presence of foreign armies in an adjacent country could not, under any circumstances, but cause uneasiness and anxiety on the part of this government. It creates for us expenses which are inconvenient, not to speak of dangers of collision. Nevertheless, I cannot but infer from the tenor of your communication that the principal cause of the discontent prevailing in the United States in regard to Mexico is not fully apprehended by the Emperor's government. The chief cause is not that there is a foreign army in Mexico; much less does that discontent arise from the circumstances that that foreign army is a French one. We recognize the right of sovereign nations to carry on war with each other if they do not invade our right or menace our safety or just influence. The real cause of our national discontent is, that the French army which is now in Mexico is invading a domestic republican government there which was established by her people, and with whom the United States sympathize most profoundly, for the avowed purpose of suppressing it and establishing upon its ruins a foreign monarchical government, whose presence there, so long as it should endure, could not but be regarded by the people of the United States as injurious and menacing to their own chosen and endeared republican institutions.

I admit that the United States do not feel themselves called upon to make a war of propagandism throughout the world, or even on this continent, in the republican cause. We have sufficient faith in the eventual success of that cause on this continent, through the operation of existing material and moral causes, to induce us to acquiesce in the condition of things which we found existing here, while our own republic was receiving its shape and development. On the other hand, we have constantly maintained, and still feel bound to maintain, that the people of every state on the American continent have a right to secure for themselves a republican government if they choose, and that interference by foreign states to prevent the enjoyment of such institutions deliberately established is wrongful, and in its effects antagonistical to the free and popular form of government existing in the United States. We should think it wrong as well as unwise, on the part of the United States, to attempt to subvert by force monarchical governments in Europe for the purpose of replacing them with republican institutions. It seems to us equally objectionable that European states should forcibly intervene in states situated on this continent to overthrow republican institutions, and replace them with monarchies or empires.

Having thus frankly stated our position, I leave the question for the consideration of France, sincerely hoping that that great nation may find it compatible with its best interests and its high honor to withdraw from its aggressive attitude in Mexico, within some convenient and reasonable time, and thus leave the people of that country to the free enjoyment of the system of republican government which they have established for themselves, and of their adherence to which they have given what seems to the United States to be decisive and conclusive, as well as very touching proofs. I am, sir, the more inclined to hope for such a solution of the difficulty for the reason that when, at any time within the last four years, the question has been asked of any American statesman, or even of any American citizen, what country in Europe was the one which was least likely to experience an alienation of the friendship of the United States, the answer was promptly given, France. Friendship with France has always been deemed important and peculiarly agreeable by the American people. Every American citizen deems it no less important and desirable for the future than for the past.

The President will be pleased to be informed of the reception which the Emperor gives to the suggestions which I have now made.

Accept, sir, the renewed assurances of my very high consideration.

WILLIAM H. SEWARD.

No. 62.

Marquis de Montholon to Mr. Seward.

[Translation.]

LEGATION OF FRANCE TO THE UNITED STATES,
Washington, December 9, 1865.

SIR: I hasten to acknowledge the reception of your excellency's note of the 6th December, in answer to my communication of the 29th ultimo.

I will not fail to transmit, without delay, this important document to the government of the Emperor.

Accept the assurances of my high consideration.

MONTHOLON.

Hon. WILLIAM H. SEWARD, *&c., Washington, D. C.*

No. 38.

CORRESPONDENCE WITH THE LEGATIONS OF THE UNITED STATES IN EUROPE.—THE MEXICAN QUESTION.

List of papers.

No. 1.	Mr. Seward to Mr. Adams, No. 855, (extract)	Feb. 25, 1864.
2.	Mr. Seward to Mr. Adams, No. 868	Mar. 8, 1864.
	(Same to Mr. Dayton, No. 501.)	
3.	Mr. Adams to Mr. Seward, No. 630	Mar. 24, 1864.
4.	Mr. Seward to Mr. Adams, No. 937	May 3, 1864.
5.	Mr. Dayton to Mr. Seward, No. 380	Nov. 27, 1863.
6.	Mr. Dayton to Mr. Seward, No. 389, (with accompaniments)	Dec. 25, 1863.
7.	Mr. Seward to Mr. Dayton, No. 461	Jan. 16, 1864.
8.	Mr. Seward to Mr. Dayton, No. 465	Jan. 26, 1864.
9.	Mr. Seward to Mr. Dayton, No. 466, (with accompaniments)	Jan. 26, 1864.
10.	Mr. Seward to Mr. Dayton, No. 468, (extract)	Feb. 1, 1864.
11.	Mr. Dayton to Mr. Seward, No. 413	Feb. 5, 1864.
12.	Mr. Dayton to Mr. Seward, No. 418, (with accompaniment)	Feb. 6, 1864.
13.	Mr. Seward to Mr. Dayton, No 472	Feb. 8, 1864.
14.	Mr. Seward to Mr. Dayton, No. 478	Feb. 10, 1864.
15.	Mr. Seward to Mr. Dayton, No. 479	Feb. 12, 1864.
16.	Mr. Dayton to Mr. Seward, No. 422	Feb. 15, 1864.
17.	Mr. Dayton to Mr. Seward, No. 423	Feb. 19, 1864.
18.	Mr. Seward to Mr. Dayton, No. 489	Feb. 25, 1864.
19.	Mr. Seward to Mr. Dayton, No. 490	Feb. 27, 1864.
20.	Mr. Seward to Mr. Dayton, No. 496	Mar. 2, 1864.
21.	Mr. Dayton to Mr. Seward, No. 428	Mar. 4, 1864.
22.	Mr. Dayton to Mr. Seward, No. 430, (extract)	Mar. 11, 1864.
23.	Mr. Dayton to Mr. Seward, No. 431	Mar. 11, 1864.
24.	Mr. Seward to Mr. Dayton, No. 506	Mar. 17, 1864.
25.	Mr. Dayton to Mr. Seward, No. 437, (with accompaniment)	Mar. 19, 1864.
26.	Mr. Seward to Mr. Dayton, No. 508	Mar. 22, 1864.
27.	Mr. Seward to Mr. Dayton, No. 510, (with one enclosure)	Mar. 23, 1864.
28.	Mr. Seward to Mr. Dayton, No. 519, (with one enclosure)	April 4, 1864.
29.	Mr. Seward to Mr. Dayton, No. 520	April 5, 1864.
30.	Mr. Seward to Mr. Dayton, No. 521	April 5, 1864.
31.	Mr. Seward to Mr. Dayton, No. 524	April 8, 1864.

32. Mr. Dayton to Mr. Seward, No. 449, (extract with two enclosures)..... April 11, 1864.
33. Mr. Dayton to Mr. Seward, No. 450, (with two enclosures) April 14, 1864.
34. Mr. Dayton to Mr. Seward, No. 452, (with enclosure).. April 18, 1864.
35. Mr. Dayton to Mr. Seward, No. 454, (extract)..... April 22, 1864.
36. Mr. Seward to Mr. Dayton, No. 537, (with one enclosure) April 28, 1864.
37. Mr. Seward to Mr. Dayton, No. 538..... April 20, 1864.
38. Mr. Seward to Mr. Dayton, No. 540..... May 4, 1864.
39. Mr. Seward to Mr. Dayton, No. 542..... May 9, 1864.
40. Mr. Dayton to Mr. Seward, No. 465..... May 16, 1864.
41. Mr. Seward to Mr. Dayton, No. 561..... May 21, 1864.
42. Mr. Seward to Mr. Dayton, No. 557, (with four enclosures) May 23, 1864.
43. Mr. Dayton to Mr. Seward, No. 476, (with one enclosure) May 31, 1864.
44. Mr. Seward to Mr. Dayton, No. 564..... May 31, 1864.
45. Mr. Seward to Mr. Dayton, No. 567..... May 31, 1864.
46. Mr. Dayton to Mr. Seward, No. 484, (extract)..... June 8, 1864.
47. Mr. Seward to Mr. Dayton, No. 573, (with enclosures) . June 8, 1864.
48. Mr. Dayton to Mr. Seward, No. 489, (with two enclosures) June 13, 1864.
49. Mr. Dayton to Mr. Seward, No. 494..... June 24, 1864.
50. Mr. Seward to Mr. Dayton, No. 593..... June 27, 1864.
51. Mr. Seward to Mr. Dayton, No. 598..... July 2, 1864.
52. Mr. Dayton to Mr. Seward, No. 507, (with one memorandum)..... July 8, 1864.
53. Mr. Seward to Mr. Dayton, No. 604..... July 12, 1864.
54. Mr. Dayton to Mr. Seward, No. 515, (with one enclosure) July 18, 1864.
55. Mr. Seward to Mr. Dayton, No. 616..... July 28, 1864.
56. Mr. Seward to Mr. Dayton, No. 618, (extract)..... July 28, 1864.
57. Mr. Seward to Mr. Dayton, No. 628..... Aug. 8, 1864.
58. Mr. Seward to Mr. Dayton, No. 635, (with one enclosure) Aug. 18, 1864.
59. Mr. Dayton to Mr. Seward, No. 535..... Sept. 9, 1864.
60. Mr. Seward to Mr. Dayton, No. 648..... Sept. 15, 1864.
61. Mr. Seward to Mr. Dayton, No. 656, (with one enclosure) Sept. 20, 1864.
(Same to Mr. Adams)
62. Mr. Seward to Mr. Dayton, No. 669, (with one enclosure) Oct. 3, 1864.
63. Mr. Dayton to Mr. Seward, No. 545..... Oct. 7, 1864.
64. Mr. Seward to Mr. Dayton, No. 677, (with accompaniments) Oct. 10, 1864.
65. Mr. Dayton to Mr. Seward, No. 550, (with enclosures)... Oct. 19, 1864.
66. Mr. Seward to Mr. Dayton, No. 685..... Oct. 20, 1864.
67. Mr. Dayton to Mr. Seward, No. 552..... Oct. 21, 1864.
68. Mr. Seward to Mr. Dayton, No. 693, (with enclosures)... Oct. 31, 1864.
69. Mr. Dayton Mr. Seward, No. 557..... Nov. 4, 1864.
70. Mr. Hunter to Mr. Dayton, No. 695..... Nov. 7, 1864.
71. Mr. Dayton to Mr. Seward, No. 565..... Nov. 18, 1864.
72. Mr. Seward to Mr. Dayton, No. 704..... Nov. 18, 1864.
73. Mr. Seward to Mr. Dayton, No. 705..... Nov. 18, 1864.
74. Mr. Seward to Mr. Dayton, No. 707..... Nov. 18, 1864.
75. Mr. Seward to Mr. Dayton, No. 717..... Dec. 4, 1864.
76. Mr. Dayton to Mr. Seward, No. 442..... Mar. 25, 1864.
77. Mr. Seward to Mr. Dayton, No. 525..... April 7, 1864.
78. Mr. Seward to Mr. Dayton, No. 728..... Dec. 20, 1864.
79. Mr. Seward to Mr. Bigelow, No. 1, (with accompaniments) Dec. 21, 1864.
80. Mr. Bigelow to Mr. Seward, No. 8, (extract, with accompaniment)..... Jan. 20, 1865.
81. Mr. Seward to Mr. Bigelow, No. 33..... Feb. 7, 1865.
82. Mr. Seward to Mr. Bigelow, No. 38..... Feb. 7, 1865.
83. Mr. Bigelow to Mr. Seward, No. 25, (extract)..... Feb. 9, 1865.

84. Mr. Bigelow to Mr. Seward, No. 29, (extract)..... Feb. 14, 1865.
85. Mr. Bigelow to Mr. Seward, No. 35..... Feb. 17, 1865.
86. Mr. Bigelow to Mr. Seward, No. 36..... Feb. 17, 1865.
87. Mr. Seward to Mr. Bigelow, No. 48, (with accompaniments) Feb. 21, 1865.
88. Mr. Seward to Mr. Bigelow, No 49 (with accompaniments) Feb. 21, 1865.
89. Mr. Bigelow to Mr. Seward, No. 44, (extract, with accompaniment)..... Mar. 6, 1865.
90. Mr. Seward to Mr. Bigelow, No. 62..... Mar. 7, 1865.
91. Mr. Bigelow to Mr. Seward, No. 50, (with accompaniment) Mar. 10, 1865.
92. Mr. Seward to Mr. Bigelow, No. 65..... Mar. 10, 1865.
93. Mr. Bigelow to Mr. Seward, No. 52, (with accompaniment) Mar. 10, 1865.
94. Mr. Seward to Mr. Bigelow, No. 68..... Mar. 13, 1865.
95. Mr. Seward to Mr. Bigelow, No. 70, (with accompaniments) Mar. 13, 1865.
96. Mr. Bigelow to Mr. Seward, No. 55, (extract, with accompaniments)..... Mar. 14, 1865.
97. Mr. Bigelow to Mr. Seward, No. 59, (with accompaniments) Mar. 17, 1865.
98. Mr. Seward to Mr. Bigelow, No. 71, (extract)..... Mar. 17, 1865.
99. Mr. Seward to Mr. Bigelow, No. 77..... Mar. 23, 1865.
100. Mr. Seward to Mr. Bigelow, No. 86..... Mar. 27, 1865.
101. Mr. Seward to Mr. Bigelow, No. 89..... Mar. 27, 1865.
102. Mr. Seward to Mr. Bigelow, No. 94..... Mar. 28, 1865.
103. Mr. Bigelow to Mr. Seward, No. 66, (with accompaniments) Mar. 28, 1865.
104. Mr. Seward to Mr. Bigelow, No. 102..... April 4, 1865.
105. Mr. Bigelow to Mr. Seward, No. 79, (with accompaniments) April 18, 1865.
106. Mr. Hunter to Mr. Bigelow, No. 116..... April 21, 1865.
107. Mr. Hunter to Mr. Bigelow, No. 134..... May 6, 1865.
108. Mr. Bigelow to Mr. Seward, No. 107..... May 26, 1865.
109. Mr. Hunter to Mr. Bigelow, (letter)..... June 5, 1865.
110. Mr. Seward to Mr. Bigelow, No. 167..... June 12, 1865.
111. Mr. Bigelow to Mr. Seward, No. 117, (with accompaniment)..... June 13, 1865.
112. Mr. Seward to Mr. Bigelow, No. —..... June 17, 1865.
113. Mr. Bigelow to Mr. Seward, No. 120, (with accompaniments)..... June 21, 1865.
114. Mr. Hunter to Mr. Bigelow, No. 184..... June 26, 1865.
115. Mr. Bigelow to Mr. Seward, No. 133..... June 29, 1865.
116. Mr. Bigelow to Mr. Seward. No. 134..... June 30, 1865.
117. Mr. Seward to Mr. Bigelow, No. 187..... June 30, 1865.
118. Mr. Bigelow to Mr. Seward, No. 136, (extract, with accompaniments)..... July 6, 1865.
119. Mr. Seward to Mr. Bigelow, No. 192, (with accompaniments)..... July 6, 1865.
120. Mr. Seward to Mr. Bigelow, No. 194, (with accompaniments)..... July 10, 1865.
121. Mr. Bigelow to Mr. Seward, No. 140, (with accompaniments)..... July 11, 1865.
122. Mr. Bigelow to Mr. Seward, No. 145, (with accompaniment)..... July 14, 1865.
123. Mr. Seward to Mr. Bigelow, No. 200..... July 17, 1865
124. Mr. Seward to Mr. Bigelow, No. 201..... July 17, 1865.
125. Mr. Seward to Mr. Bigelow, No. 205, (with accompaniments)..... July 22, 1865.
126. Mr. Seward to Mr. Bigelow, No. 206..... July 24, 1865.
127. Mr. Seward to Mr. Bigelow, No. 207..... July 25, 1865.
128. Mr. Hunter to Mr. Bigelow, No. 213..... July 28, 1865
129. Mr. Hunter to Mr. Bigelow, No. 214..... July 28, 1865.

130. Mr. Seward to Mr. Bigelow, No. 216..... July 31, 1865.
131. Mr. Bigelow to Mr. Seward, No. 154, (with accompaniments)..... Aug. 5, 1865.
132. Mr. Seward to Mr. Bigelow, No. 234..... Aug. 25, 1865.
133. Mr. Bigelow to Mr. Seward, No. 166..... Aug. 31, 1865.
134. Mr. Seward to Mr. Bigelow, No. 259, (extract)..... Sept. 6, 1865.
135. Mr. Seward to Mr. Bigelow, No. 263, (with accompaniments)..... Sept. 13, 1865.
136. Mr. Seward to Mr. Bigelow, No. 264..... Sept. 20, 1865.
137. Mr. Bigelow to Mr. Seward, No. 177, (extract) ..... Sept. 21, 1865.
138. Mr. Seward to Mr. Bigelow, No. 269..... Sept. 25, 1865.
139. Mr. Seward to Mr. Bigelow, No. 270..... Sept. 25, 1865.
140. Mr. Seward to Mr. Bigelow, No. 274..... Sept. 25, 1865.
141. Mr. Bigelow to Mr. Seward, No. 180, (extract)..... Oct. 6, 1865.
142. Mr. Bigelow to Mr. Seward, No. 181..... Oct. 6, 1865.
143. Mr. Seward to Mr. Bigelow, No. 283..... Oct. 9, 1865.
144. Mr. Seward to Mr. Bigelow, No. 285..... Oct. 13, 1865.
145. Mr. Bigelow to Mr. Seward, No. 186..... Oct. 18, 1865.
146. Mr. Seward to Mr. Bigelow, No 293..... Oct. 30, 1865.
147. Mr. Seward to Mr. Bigelow, No. 300, (extract)..... Nov. 6, 1865.
148. Mr. Seward to Mr. Bigelow, No. 302..... Nov. 6, 1865.
149. Mr. Seward to Mr. Bigelow, No. 309..... Nov. 14, 1864.
150. Mr. Montague to Mr. Seward, No. 114..... Nov. 16, 1865.
151. Mr. Bigelow to Mr. Seward, No. 199..... Nov. 21, 1865.
152. Mr. Seward to Mr. Bigelow, No. 316..... Nov. 23, 1865.
153. Mr. Bigelow to Mr. Seward, No. 201..... Nov. 24, 1865.
154. Mr. Bigelow to Mr. Seward, No. 202, (with accompaniment)..... Nov. 24, 1865.
155. Mr. Bigelow to Mr. Seward, No. 203, (extract) ..... Nov. 24, 1865.
156. Mr. Bigelow to Mr. Seward, No. 209, (extract)..... Nov. 30, 1865.
157. Mr. Miner to Mr. Seward, No. 153..... Dec. 9, 1865.
158. Mr. Seward to Mr. Bigelow, No. 327..... Dec. 12, 1865.
159. Mr. Seward to Mr. Bigelow, No. 328..... Dec. 14, 1865.
160. Mr. Seward to Mr. Bigelow, No. 329..... Dec. 14, 1865.
161. Mr. Seward to Mr. Bigelow, No. 330..... Dec. 14, 1865.
162. Mr. Seward to Mr. Bigelow, No. 332..... Dec. 16, 1865.
163. Mr. Seward to Mr. Bigelow, No. 333..... Dec. 16, 1865.
164. Mr. Seward to Mr. Pike, No. 151, (extract)..... May 6, 1864.
165. Mr. Koerner to Mr. Seward, No. 83, (extract)..... Mar. 20, 1864.
166. Mr. Koerner to Mr. Seward, No. 85, (extract)..... Mar. 7, 1864.
167. Mr. Koerner to Mr. Seward, No. 90, (extract)..... Apr. 2, 1864.
168. Mr. Seward to Mr. Koerner, No. 81..... Apr. 7, 1864.
169. Mr. Seward to Mr. Koerner, No. 82, (extract)..... Apr. 18, 1864.
170. Mr. Seward to Mr. Koerner, No. 86, (extract)..... May 4, 1864.
171. Mr. Seward to Mr. Koerner, No. 92,..... May 17, 1864.
172. Mr. Seward to Mr. Koerner, No. 95, (extract)..... May 19, 1864.
173. Mr. Seward to Mr. Koerner, No. 112, (extract)..... July 11, 1864.
174. Mr. Seward to Mr. Motley, No. 47..... Oct. 23, 1864.
175. Mr. Seward to Mr. Motley, No. 66..... Apr. 18, 1864.
176. Mr. Seward to Mr. Motley, No. 78, (extract)..... July 14, 1863.
177. Mr. Motley to Mr. Seward, No. 34..... Sept. 21, 1864.
178. Mr. Motley to Mr. Seward, No. 36, (extract, with one enclosure)..... Oct. 5, 1864.
179. Mr. Motley to Mr. Seward, No. 38..... Nov. 24, 1863.
180. Mr. Seward to Mr. Judd, No. 72..... May 9, 1864.
181. Mr. Judd to Mr. Seward, No. 62, (extract)..... Apr. 16, 1864.

182. Mr. Seward to Mr. Sanford, No. 148..... Sept. 26, 1864.
183. Mr. Seward to Mr. Sanford, No. — ..... Oct. 4, 1864.
184. Mr. Sanford to Mr. Seward, No. 199..... July 6, 1864.
185. Mr. Sanford to Mr. Seward, No. 213. ..... Sept. 7, 1864.
186. Mr. Sanford to Mr. Seward, No. 214..... Sept. 7, 1864.
187. Mr. Sanford to Mr. Seward, No. 215..... Sept. 15, 1864.
188. Mr. Sanford to Mr. Seward, No. 220..... Oct. 24, 1864.
189. Mr. Sanford to Mr. Seward, No. 228..... Nov. 21, 1864.
190. Mr. Sanford to Mr. Seward, No. 230..... Nov. 28, 1864.
191. Mr. Harvy to Mr. Seward, No. 234..... Oct. 17, 1863.
192. Mr. Marsh to Mr. Seward, No. 78, (extract)..... Aug. 17, 1863
193. Mr. Seward to Mr. Wood, No. 100..... Nov. 30, 1864.
194. Mr. Seward to Mr. Campbell, No. 8..... Nov. 19, 1864.
195. Mr. Fogg to Mr. Seward, No. 50..... Oct. 2, 1863.

No. 1.

Mr. Seward to Mr. Adams.

No. 855.] DEPARTMENT OF STATE,
Washington, February 25, 1864.

SIR: I have before me your despatch of February 4, (No. 590,) which speaks of the actual breaking out of hostilities between Germany and Denmark, and of the perplexities which that act produces in the British councils.

More recent information shows that Austria and Prussia have achieved a successful campaign, and are in possession virtually of all Schleswig. It remains to be seen whether a foundation can now be laid for a peace that will be satisfactory to the greater states, who charge themselves with the preservation of the balance of power in Europe. Without pretending to the knowledge necessary for the formation of a reliable judgment, I may, perhaps, be safe in believing that the present condition of things in the theatre of the war is very unsatisfactory to Great Britain.

I observe statements in the continental papers that emigrants have returned from this country with large promises to engage in the attractive conflicts of Europe. If this be so, and if these conflicts continue, this government will be summoned to new duties in maintaining neutrality. Our responsibilities in this way are already large enough. The war of France against Mexico wears upon the patience of the American people. Spain is watchful lest the insurgents of San Domingo receive aid from the United States; and their insurgents are here seeking recognition, at least as belligerents. If our own unhappy civil war should come to an end in the midst of a European war, it would be difficult to enforce upon citizens of the United States the performance of international obligations that Europe has refused to observe in regard to ourselves.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Hon. CHARLES FRANCIS ADAMS, Esq.

No. 2.

Mr. Seward to Mr. Adams. (Same to Mr. Dayton, No. 501.)

No. 868.] DEPARTMENT OF STATE,
Washington, March 8, 1864.

SIR: We hear that the Canada was partially disabled on her way to Halifax. Owing to this accident I am without any official information of European events of a date more recent than the 13th of February.

* * * * * *

The latest news received from Mexico gives us reason to believe that the already reduced forces of the government are to be further demoralized by faction. It is said that Vidaurri is disloyal to the republican government, and is demanding a resignation from the president, Juarez, with a view to the institution of General Ortega in his place, to be followed by a compromise with the French.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHAS. F. ADAMS, Esq.

No. 3.

Mr. Adams to Mr. Seward.

No. 630.] LEGATION OF THE UNITED STATES,
London, March 24, 1864.

SIR: The Archduke Maximilian came here for the purpose of getting a recognition of his new position. His father-in-law, Leopold, is here to favor his object. The government declined to act on the subject at present, but gave reason to hope that, so soon as the action in Mexico would appear to justify it, they would acknowledge him. It is understood that Spain and Belgium will follow in the wake of France, after which the other powers are expected to accede.

A loan has been negotiated for eight millions sterling, at 66 —, interest at 6 per cent, out of which a payment is to be made to France, in part, for the expense she has been at. The rest is to be used to organize a proper support for the archduke until he can get things going. The English creditors in the old loan, who have constituted the great support of this scheme, are greatly disturbed to find that no provision has been made for them.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

No. 4.

Mr. Seward to Mr. Adams.

No. 937.] DEPARTMENT OF STATE,
Washington, May 3, 1864.

SIR: I thank you very sincerely for your despatch of the 15th of April, No. 669, which contains information particularly new and interesting in regard to the proceedings which have culminated in the departure of the Archduke Maximilian from Trieste, with the intention to establish an imperial monarchy in Mexico. Every thinking observer must be fully satisfied, even without special evidence, that those events had their origin in a conspiracy of Mexicans against the independence and freedom of their own country. Nevertheless, it will be fortunate for the future of Mexico, and for the cause of republican government there, if the history you have given me of the details of the conspiracy shall soon become generally known.

You have very clearly explained the motives and sentiments which have induced so many of the influential statesmen and authorities of Europe to favor the subversion of the Mexican republic. All these motives and sentiments resolve themselves into a jealousy of the advancement of the United States. Their great prosperity and progress have necessarily provoked this political antagonism. You very justly lament the pertinacity with which the American people continue their suicidal division in presence of the apparent overthrow of their influence in Mexico, but it is the same blindness of faction which led us into the civil war. Only time and events can cure it, and these we may well believe are doing their work. No appeal to the reason or to the patriotism of the insurgents is heard so long as they entertain hopes of success in their desperate enterprise. The loyal people of the United States seem to have no need for new or increased devotion to the national cause. At all events, considerations of foreign and remote dangers can scarcely be expected to gain serious attention, when the immediate domestic perils of the conflict absorb the popular mind. I know no other way for us than to contemplate the situation calmly, do our whole duty faithfully, meet every emergency as it rises, with prudence, firmness, and force if necessary, and trust in God for a safe issue of the contest.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., *&c.*

No. 5.

Mr. Dayton to Mr. Seward.

No. 380.] PARIS, *November* 27, 1863.

SIR: In the course of my conversation with Mr. Drouyn de Lhuys yesterday, I referred briefly to what he had some time since said to me in reference to an early acknowledgment of the new government of Mexico. He said, pleasantly, that he feared he had been too sanguine. I told him that our kind relations with the Juarez government were unbroken, and that we did not anticipate an early and permanent establishment of a monarchy in Mexico. In the present condition of things, therefore, you did not feel at liberty to consider the question he had propounded. I do not think that he was either surprised or disappointed by this answer.

He informed me that the Emperor had been much gratified by your recent action in forbidding the recruitment of men in the United States for Mexico. This had been reported to him by Mr. Mercier. I reminded him, in passing, that this action seemed to contrast somewhat with that of the French authorities, in permitting the shipment of a crew for the Florida in a French port. It seemed to me that the allusion was *felt*. He made a note of it, as I supposed, and the conversation there dropped. I reminded him, however, that I had some time since sent him a copy of that despatch in reference to Russian privateers, sent to us at the beginning of the Crimean war. He said that, owing to his absence, he had not yet seen it, nor my communication which accompanied it.

I am, sir, your obedient servant,

WM. L. DAYTON.

Hon. WILLIAM H. SEWARD.

P. S.—The proposition for a congress yet engrosses all attention; but each of the great powers is distrustful of the others, and I am greatly mistaken if the proposition does not turn out an abortion.

No. 6.

Mr. Dayton to Mr. Seward.

No. 389.] PARIS, *December* 25, 1863.

SIR: I enclose a slip cut from a newspaper recently published here, the substance of which has made the round of the French and English journals, and will doubtless be recopied in the journals of the United States. Mr. Drouyn de Lhuys says he knows nothing of it, and has never heard of the pretended envoy therein referred to. He says, further, that should he find that any such person has arrived, he will not fail to let me know it; but at present he supposes the paragraph to be like all the other "trash" of this character which is put in circulation.

I referred in this connexion to the supposed outline or schedule of a treaty alleged to have been agreed upon, some two or three months since, between his Majesty and the rebel agents abroad, and communicated to you by Mr. Morse, our consul at London; a copy of whose communication was enclosed to me in your confidential despatch, No 438.

Mr. Drouyn de Lhuys says there is no truth whatever in this statement, and that the Emperor has no such negotiation whatever with the confederates on foot.

I am, sir, your obedient servant,

WILLIAM L. DAYTON.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c.

[From a Paris paper.]

M. Supervielle, who has just arrived in Paris, in the character of special envoy from the Confederate States, is a Frenchman by birth, who was formerly an advocate in the south of France, somewhere near Bordeaux. He has been living in Texas for the last seventeen years, and is now a naturalized American. He got away from Matamoras on board a French ship-of-war, which the admiral lent him to go to Vera Cruz, where he embarked in the transatlantic packet Florida for St. Nazaire. He is said to have a mission to notify to the French government the recognition by the Confederate States of the "empire" of Mexico, and also to try to persuade Napoleon III to recognize the south in return.

No. 7.

Mr. Seward to Mr. Dayton.

DEPARTMENT OF STATE,
Washington, January 16, 1864.

SIR: Intelligence has reached here directly, and by the way of Vera Cruz, that Mr. J. H. Mansfield, the United States consul at Tabasco, has been imprisoned by the authorities there. Nothing, however, is officially known of the charges against him. Mr. Lane, the consul at Vera Cruz, in a despatch of the 2d ultimo, an extract from which is annexed, intimates that Mr. Mansfield has been unmindful of the neutrality prescribed by his instructions and by his duty as a consul of a power in amity with both France and Mexico. It is desirable, however, that we should be informed of the reason for the proceedings against him. You will consequently apply to Mr. Drouyn de Lhuys for information upon the subject.

I am, sir, your obedient servant,

WILLIAM H. SEWARD

WILLIAM L. DAYTON, Esq., &c.

No. 8.

Mr. Seward to Mr. Dayton.

No. 465.] DEPARTMENT OF STATE,
Washington, January 26, 1864.

SIR: Referring to my instruction of the 16th instant, No. 461, I have to inform you that, under the date of the 31st ultimo, Mr. Lane, the consul of the United States at Vera Cruz, writes that on that date he had received a verbal communication from Mr. Mansfield, the consul at Tabasco, confirming the report that he is in prison there, and allowed no means of communicating with his friends, and that his sentence is a year's imprisonment

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., *&c.*

No. 9.

Mr. Seward to Mr. Dayton.

No. 466.] DEPARTMENT OF STATE,
Washington, January 26, 1864.

SIR: I enclose a copy of a despatch of the 31st ultimo, from Mr. M. D. L. Lane, the United States consul at Vera Cruz, and of the protest of José Wallace Smith referred to therein, containing a narrative of the treatment of which he alleges himself and others to have been the victims at the hands of the French authorities at Minatitlan. The case, as set forth, seems one of such excessive cruelty, that, without waiting further details, I have to request you to ask for an examination into the facts, and, if they are truly stated, to claim indemnity.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., *&c.*

CONSULATE OF THE UNITED STATES OF AMERICA,
Vera Cruz, December 31, 1863.

SIR: I have the honor herewith to forward the protest of José W. Smith, a citizen of the United States, taken prisoner at Minatitlan, by French authorities, and sent to this place.

Mr. Smith leaves here for the States, per English steamer, to-morrow.

I have the honor to be, with great respect, your obedient servant,

M. D. L. LANE,
United States Consul.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

[Protest.]

CONSULATE OF THE UNITED STATES OF AMERICA,
Vera Cruz, December 17, 1863.

By this public instrument of attestation, declaration and protest, be it known and made manifest to all whom it may concern, that on this 17th day of December, A. D. 1863, before me, M. D. L. Lane, consul of the United States of

America for the port of Vera Cruz, and the dependencies thereof, personally appeared José Wallace Smith, who, being by me duly sworn according to law, did depose and say as follows:

When the French steamer under command of Commandant Conrad arrived at Minatitlan, in February last, I was residing in that town and doing business there as a merchant. I was also regidor of the municipal body, enabled by a decree of the Mexican government to hold that position without infringement of my neutrality. The Mexican authorities, and most of the native inhabitants of the town, fled at the approah of the French, and I was left as the only neutral in office to represent the interests of the town, and if called upon, to deliver it over to the invading force. In this position I was recognized by Commandant Conrad, who, when I offered to resign my office, expressly desired me to retain it. The French did not occupy Minatitlan, but anchored their steamers at the mouth of the river, and for about two months I continued to act, by request of the French, as temporarily in charge of the town, and was recognized as such by both parties, and used as a means of communicating with each other.

Some time in May, in consequence of a want of confidence manifested in me by the Mexican authorities, arising from my connexion with Commandant Conrad, I resigned my position—a Captain Sanchez, of the Mexican army, being appointed as millitary commandant. From that moment my connexion with the liberal parties, innocent as it was, completely and entirely ceased. In July a French force took possession of the town, and with it came, as French political agent and collector of customs, one of "Walker's filibusters"—a man unfavorably known to the inhabitants, by name of Bruno Van Natzmer—who indirectly assumed and concentrated in himself all civil authority, and to a great extent the military also. This was easily accomplished with the former, on account of their ignorance and timidity, and it was yielded to him by the latter, on account of what they supposed to be his local knowledge and the soundness of his intentions; and immediately a system of persecution and personal vengeance was inauguarated such as people never thought to witness in this nineteenth century.

About the beginning of September, while at the American consulate on business, I was grossly insulted and threatened by one John Hume, a resident of the town. Among other things, he said he had me completely in his power, that he could count upon the influence and assistance of the principal authorities to carry out his threats, which were by any and every means to have me sent away from Minatitlan or shot, and if the authorities failed him, he would visit the latter fate upon me himself. At this time Natzmer was living at Hume's house, and on the most intimate terms with him, and there is every reason to believe they were conniving together against me, as will be proved by what took place afterwards.

A few days after the attack upon me at the consulate, Hume came to my house, and after repeating his insults and threats, struck me three times. I did not retaliate until he struck me the third time, and then I knocked him down; as he was rising he drew a revolver, four barrels of which were loaded, cocked and snapped it at me, whereupon I again knocked him down; the same thing was three times repeated. Some people now came up and put an end to the struggle, and the police arriving conducted us both to jail, where I was placed in close confinement, and Hume in a few minutes released by order of Natzmer, addressing him through the judge.

Natzmer then informed the judge that it was the order of the commandant that an official communication should be drawn up, and addressed to the commandant, stating that Hume had gone to my house in a state of drunkenness, and I availed myself of the fact to endeavor to assassinate him. The judge refused to make such a statement, unless it was first substantiated as the result of an examination, conducted in conformity to law; and, notwithstanding Natz

mer threatened to send him to Martinique, the judge, fortunately for me, was not intimidated. The case was fairly examined and I was released, and the sentence that would have been otherwise passed on Hume was only withheld through fear of Natzmer; thus the case remains on the archives, if they are not destroyed or tampered with, with the exception of what I state as having passed between Natzmer and the judge, which took place before witnesses who will readily bear evidence, when they dare speak without fear of Natzmer's vengeance. His intentions towards me were thoroughly exposed, when he told the judge the next day, if he had done as he told him, by that time I should have been despatched.

On the 18th Lieutenant Rollin came to my house with two armed soldiers; he ordered me to put on my hat and follow him, and I was conducted to the public jail, where I found Nicholas Lopes, Abino Garcia, Luis Carimon. We were kept some four days *incommunicado*. On the evening of the fourth day the guard received an order from Lieutenant Rollin to take me out and shoot me at the sound of the morning bugle. I only knew the fate that was intended for me from the conversation of the guard, which I could not help overhearing, from their vicinity and the slight construction of the jail, which consisted of only one room. About fifteen minutes before the time appointed for my execution I heard that the order was suspended, but frequently during the next day I was led to believe, from the talk of the guard, that I had but a few hours to live.

On the afternoon of the fifth day we were marched off by a force under command of Lieutenant Rollin, and conducted to the river bank, where Natzmer was waiting with another force to receive us. We were placed by Natzmer on board the schooner Clara, put in the hold, our hands tied behind us, and our legs attached with iron rings to an iron bar of about five feet in length. To this bar five of us were chained. The hatches were then nailed down, and every aperture closed, except a hole about sixteen inches square, which had been sawed out of one of the hatches for the purpose of letting down provisions to us. From the extreme pain caused by the tightness of the bands and the constrained position of the arms, and all other physical and mental horrors of our frightful situation, I rapidly became delirious, and remained in that state eight or ten days. Under the influence of the delirium I used sometimes to cry out of a night, when the corporal of the guard would come down and stamp upon me, and beat me in a manner that has left marks upon my body that I will carry to my grave. This was an occurrence of every night during my delirium. The necessities of nature had to be relieved as we lay, and the filth was sometimes left to accumulate for days; we had no mosquito bars; our food was eaten amidst an amount of filth and stench and pestilent atmosphere that must be experienced to conceive The band on our arms remained sometimes day and night; the effect on me has been to deprive me for life of the use of my left arm, and the right is seriously injured. In this state we remained thirty days—all except Albino Garcia, the previous collector of customs, about sixty-five years of age, who on the twenty-ninth day died from fever, superinduced by the horrors of our situation. The body, which was in a most filthy state, was allowed to remain from 8 a. m. to 5 p m., still chained to the bar, and the hands still tied behind, and then it was drawn up by a rope passed under the arms like a sack of corn. During these dreadful thirty days Natzmer frequently came on board the vessel to see that his orders for our treatment were carried out, and it is to be presumed they were, for he gave no order for its alteration. On the 18th of November Natzmer came on board the schooner, and we were taken from the hold and delivered by him to the commander of the war steamer Fleche. I was in a wretched state of health—reduced in less than forty days from a strong, stout man to the merest shadow; and as I dictate this, unable to write myself, after nearly a month's rest, I am still the mere

wreck of what I was before, and my constitution has received a shock that time can never cure.

On the Fleche we were again placed in irons, and forced to keep a sitting posture under deck for about sixty hours, until we arrived at Vera Cruz, during which time we were denied all nourishment excepting musty biscuit and water.

From the day of my arrest to my arrival in Vera Cruz I was in utter ignorance of the nature of the accusations, if there were any, preferred against me, or upon what grounds I had been cruelly treated. On the 26th of November I was placed in custody of the United States consul at Vera Cruz, he becoming responsible for my appearance when called for, where I remained till December 14, when I was summoned before a court-martial, examined, and discharged. On the 17th I was notified, by the commandant superior at Vera Cruz, that I was at liberty to go to the United States. Wherefore the said appearer, in his own name, hath declared to protest, as by these presents I, the said consul, at his special instance and request, do publicly and solemnly protest against the said Natzmer, as French agent and collector of the port of Minatitlan, against the French government, against the French commander of the French forces, on land and water, at Minatitlan and Vera Cruz, ruling in the name of France, against all and every person and persons, against all authorities and things, that have in any way occasioned or permitted my arrest, imprisonment, and cruel treatment, holding each and all of them, in every matter, cause, or things concerned, liable and responsible for all costs, losses, damages, charges, and expenses already suffered, or that may be hereafter suffered, in my health or property, in any manner, shape, or form, on account of my said arrest and imprisonment and cruel treatment.

This done and protested at Vera Cruz the day and year first above written. In testimony whereof the said José W. Smith has hereunto subscribed his name, and I, the said consul, have affixed my hand and seal of office.

JOSÉ W. SMITH.

[L. S.] M. D. L. LANE, *U. S. Consul.*

No. 10.

Mr. Seward to Mr. Dayton.

No. 468.] DEPARTMENT OF STATE,
Washington, February 1, 1864.

SIR: I have the honor to acknowledge the receipt of your despatch of January 15, No. 400. We learn from it the determination of the French government to permit the Rappahannock to be completed and prepared for sea, though not armed, at Calais.

* * * * * * * *

Yesterday information was laid before me of a design of an adventurous party, now beyond our jurisdiction, to obtain letters of marque from the republican government of Mexico to harass the commerce of France. This government is constantly called upon to give leave for the conveyance of arms into Mexico for the use of the Mexican authorities in the war with France. It stands firmly and faithfully upon its neutrality, but in doing this it wounds popular sympathies which no human power could repress. The Emperor's government has had abundant occasion to observe that the Executive of the United States has practiced prudence and forbearance in their relations with the maritime powers which were not expected from a government being so popular in its form as ours, because it seemed impossible. Is it not inexpedient for the government of France

to continue indulgence towards our enemies such as we wholly refused to her enemies? The President thinks that you should invite Mr. Drouyn de Lhuys to bestow serious consideration upon the subject.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., &c.

No. 11.

Mr. Dayton to Mr. Seward.

No. 413.] PARIS, *February* 5, 1864.

SIR: Immediately upon the reception of your despatch No. 461, I called the attention of Mr. Drouyn de Lhuys to the fact of the imprisonment of J. H. Mansfield, consul at Tabasco, and asked the reasons therefor. He said that he was not at all in possession of the facts, nor did he know the grounds of his imprisonment, but he would make a memorandum of the case, and give me the necessary information at an early day.

I am, sir, your obedient servant,

WM. L. DAYTON.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c.

No. 12.

Mr. Dayton to Mr. Seward.

No. 418.] PARIS, *February* 6, 1864.

SIR: During an interview with Mr. Drouyn de Lhuys, on Thursday last, he handed to me the memorandum of a contract, said to have been entered into between the Juarist authorities of the State of Tamaulipas and the federal authorities of the United States, in virtue of which the latter agreed to furnish a certain quantity of arms and munitions of war in return for delivery to them of many thousand Mexican mules. I herewith send you a translation of this memorandum, which is without signatures. Mr. Drouyn de Lhuys said he found the memorandum on his table, without recollecting exactly whence it came, and therefore called my attention to it. I told him that I had no knowledge on the subject, but from the orders which had been issued by my government forbidding the supply of arms to either belligerent in Mexico, and the fact that we needed arms ourselves, as I supposed, even more than mules, I did not believe such contract had been made. I promised, however, to take the memorandum, and call your attention to it, as I now do.

I am, sir, your obedient servant,

WM. L. DAYTON.

Hon. WILLIAM H. SEWARD,
Secretary of State.

Memorandum.

[Translation.]

"It is affirmed that a contract has been entered into between the Juarist authorities of the State of Tamaulipas and the federal authorities, in virtue of which the latter were to furnish a certain quantity of arms and munitions of war, in return for the delivery of several thousands of Mexican mules."

No. 13.

Mr. Seward to Mr. Dayton.

No. 472.] DEPARTMENT OF STATE,
Washington, February 8, 1864.

SIR: Referring to my Nos. 461 and 465, respecting the imprisonment of Mr. J. H. Mansfield, the United States consul at Tabasco, I transmit herewith a copy of a letter of the 6th of November last, addressed by Charles Jones, esq., to Mr. Adams, our minister at London, upon the subject. I will thank you to ask for the release of Mr. Mansfield, that he may be permitted to proceed to the United States, and you will also request explanations of the proceedings against him.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., &c.

No. 14.

Mr. Seward to Mr. Dayton.

No. 478.] DEPARTMENT OF STATE,
Washington, February 10, 1864.

SIR: Referring to my communication of the 8th instant, No. 472, respecting the imprisonment of J. H. Mansfield, esq., consul of the United States at Tabasco, I now enclose a copy of a despatch, of the 24th of November last, from him upon the subject.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., &c.

No. 15.

Mr. Seward to Mr. Dayton.

No. 479.] DEPARTMENT OF STATE,
Washington, February 12, 1864.

SIR: Referring to my previous despatches, Nos. 461, 465, 472, and 478, which relate to the case of Mr. Mansfield, United States consul at Tabasco, I have now the honor to send you a copy of a letter from him which has just been received at this department. As the facts of this transaction gradually come to the knowledge of this government, it seems more and more a cause of surprise and pain that a consul of the United States should be treated with the severity which marks this case, whatever his offending might be. It would have been only courteous to the United States, and, for aught that we can see, would have been perfectly consistent with the safety of the French army, to prefer a complaint to this government against the consul, at the same time sending him to the care of this government, if he was accused of practices however hostile to the cause of the French.

You are expected to ask just explanations and redress.

It is proper that you should be able to inform M. Drouyn de Lhuys that we have instructed a ship-of-war to visit Tabasco to inquire into this transaction, but have given them no instructions to exercise force.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., &c.

No. 16.

Mr. Dayton to Mr. Seward.

No. 422.] PARIS, *February* 15, 1864.

SIR: A printed copy of the diplomatic correspondence of last year has reached me. I do not see that there is anything in the correspondence between us, as published, with which this government can justly find fault.

The rebel ship Florida has, as you are doubtless aware, left Brest, and will probably soon be heard of on the ocean destroying our commerce. The United States sloop-of-war Kearsarge, which had lain off the roadstead for a long time watching her, was absent when she left. The Kearsarge had gone to Cadiz, where she yet is, for, as I have been informed, coal, provisions, and repair of her boiler or machinery. Why these things were not attended to while the Florida was laid up, with her machinery out, I do not know; but it would seem, from a letter just received from our consular agent at Brest, of which I send you a translation, marked No. 1, that it was not likely she could have prevented the escape of the Florida if she had yet been off that port.

The Rappahannock is still at Calais, and in want of engineers, firemen, and a competent crew; but in other respects she is, I believe, ready for sea. I send you the translation of a letter just received from our consular agent at that port, marked No. 2, which will give you the last news I have about this vessel.

The Georgia was at Cherbourg about a week ago. Since that I have had no advices from her, but presume she is yet in port. She may, however, have gone, as her repairs, I am informed, were completed some days since.

I am, sir, your obedient servant,

WM. L. DAYTON.

Hon. WILLIAM H. SEWARD, *&c.*

No. 17.

Mr. Dayton to Mr. Seward.

No. 423.] PARIS, *February* 19, 1864.

SIR: Your despatches, from No. 465 to No. 468, both inclusive, are duly received.

No. 466, enclosing the copy of a despatch from Mr. Lane, United States consul at Vera Cruz, and the protest of José Wallace Smith, referred to therein, were immediately communicated by me to Mr. Drouyn de Lhuys. These complaints, like that referred to in your No. 465, (the imprisonment of Mr. Mansfield, our consul at Tabasco,) he said must be referred by him to the French authorities in Mexico before he could give an answer. But he assured me these matters should be promptly investigated. It will, of course, be some considerable time before a report on these cases can be received from Mexico.

I am, sir, your obedient servant,

WM. L. DAYTON.

Hon. WILLIAM H. SEWARD.
Secretary of State.

No. 18.

Mr. Seward to Mr. Dayton.

No. 489.] DEPARTMENT OF STATE,
Washington, February 25, 1864.

SIR: Your despatch of the 5th instant, No. 413, relative to the imprisonment and cruel treatment of J. H. Mansfield, esq., our consul at Tabasco, has been received. Your prompt attention to the case is approved. It is hoped that you have pursued the subject under the several instructions which followed No. 413, relating thereto.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., &c.

No. 19.

Mr. Seward to Mr. Dayton.

No. 490.] DEPARTMENT OF STATE,
Washington, February 27, 1864.

SIR: Your despatch of February 9, No. 419, has been received. In this communication you mention that the Archduke Maximilian, of Austria, is expected in Paris, and that circumstances may arise in which it will be necessary for you either to attend or to decline to attend ceremonies which may be observed in his honor as a sovereign of Mexico, and you ask instructions. I have taken the President's directions upon the question. If the Archduke Maximilian appears in Paris only in his character as an imperial prince of the house of Hapsburg, you will be expected to be neither demonstrative nor reserved in your deportment towards him. If he appears there with any assumption of political authority or title in Mexico, you will entirely refrain from intercourse with him. Should your proceedings become a subject of inquiry or remark, you will be at liberty, in the exercise of your own discretion, to say that this government, in view of its rights and duties in the present conjuncture of its affairs, has prescribed fixed rules to be observed, not only by this department, but by its representatives in foreign countries. We acknowledge revolutions only by direction of the President, upon full and mature consideration. Until such regular authority for recognition, we do not hold formal or informal communications with political agents or representatives of revolutionary movements in countries with which we maintain diplomatic intercourse.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., &c.

No. 20.

Mr. Seward to Mr. Dayton.

No. 496.] DEPARTMENT OF STATE,
Washington, March 2, 1864.

SIR: Your despatch of February 6, No. 418, has been received, together with a copy of a memorandum which M. Drouyn de Lhuys has placed in your hands.

That memorandum is as follows: It is affirmed that a contract has been entered into between the Juarist authorities of the State of Tamaulipas and the

federal authorities, in virtue of which the latter were to forward a certain quantity of arms and munitions of war in return for the delivery of several thousands of mules.

You very rightly expressed to M. Drouyn de Lhuys a disbelief of the fact stated in the paper I have recited. It is uncertain whether by the term "federal authorities" is meant the government of the United States, or only the agents of this government in the vicinity of Tamaulipas. If the former is intended, then you are authorized at once to declare that the allegation in the memorandum is without any foundation in fact. If the other condition is to be assumed, you will in that case inform M. Drouyn de Lhuys that, so far as the government, or any department of it, is informed, or has any reason to believe, the allegation is entirely untrue. That if it were true, the proceedings would be in violation of the instructions of this government, and would be denounced and censured. Although no evidence of the allegation is presented, the attention of the Secretary of War has been called to the subject and due inquiries will be instituted.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., &c.

No. 21.

Mr. Dayton to Mr. Seward.

No. 428.] PARIS, *March* 4, 1864.

SIR: Your despatches Nos. 478, 479, 480 and 481, have been received.

I yesterday called the attention of Mr. Drouyn de Lhuys to the case of Mr. Mansfield, United States consul at Tabasco, imprisoned by orders of the French authorities at that place. I asked that he should be discharged from imprisonment and be permitted to return to the United States, and for explanations of the conduct of their authorities. I told Mr. Drouyn de Lhuys, furthermore, that our government had been so much surprised by the statement of the treatment their consul had received, that they had sent a ship-of-war to the port of Tabasco, not to use any force, but to inquire on the spot as to the facts; that it was naturally felt that it would have been but just to the United States that they should have been notified of any complaint against their consul, and they would certainly have dealt properly with him. Mr. Drouyn de Lhuys said that such a notice to us would have been the usual form of proceeding in an ordinary case, but there was nothing in the official position of a consul which exempted him from the ordinary liability to answer like any other citizen, and that he did not know, nor had he yet been able to learn, what were the facts in the case of Mr. Mansfield. He assured me that he had already written to Mexico, and would give an answer at the earliest moment after receiving a reply. I suggested that it would seem to me as probable that the facts of such a case had already been reported; he said it was possible, though he knew of no such report, but he would inquire of the department of marine. At all events he assured me no unnecessary delay should occur in acting on the subject.

I am, sir, your obedient servant,

WM. L. DAYTON.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c.

No. 22.

Mr. Dayton to Mr. Seward.

[Extract.]

No. 430.] PARIS, *March* 11, 1864.

SIR: * * * * * * * * *

M. Drouyn de Lhuys informs me that there is nothing in agitation here calculated to disturb the good relations between the United States and France. He says that the archduke has not asked the Emperor to acknowledge the south, nor does he believe that he has had anything of the kind on his mind. Certain English papers have been industriously propagating this idea, but there is, he says, nothing in it. He informs me that he believes certain English and French capitalists, already interested in Mexican loans, will, in the hope of saving a part, at least, of their existing investments, make a moderate advance in addition, and that the archduke will, from these sources, be able to raise a small loan to meet his existing wants; but it seems to me this cannot carry him far unless France shall stand security, or give other material aid.

I am, sir, your obedient servant,

WM. L. DAYTON.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c.

No. 23.

Mr. Dayton to Mr. Seward.

No. 431.] PARIS, *March* 11, 1864.

SIR: I have again referred, in conversation with M. Drouyn de Lhuys, to the supposed negotiation reported by Mr. Morse, United States consul at London, for the cession of Texas to France for certain considerations. The supposed negotiation for the cession of Texas M. Drouyn de Lhuys assured me is without the slightest pretence of foundation. He said that France would not take Texas as a gift, even if it were accompanied with a handsome douceur besides; that she does not want it, and would not have it. That if the rumor were that she were about to part with some far-off or distant possession we might give it some credence, but never, while he was minister and his Majesty Emperor, need I trouble myself as to the truth of any report which looked to the acquisition of distant territory. Their policy, he said, looked directly in a contrary way. Whether this comports well with their existing action in Mexico may, perhaps, admit of a doubt.

I am, sir, your obedient servant,

WM. L. DAYTON.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c.

No. 24.

Mr. Seward to Mr. Dayton.

No. 506.] DEPARTMENT OF STATE,
Washington, March 17, 1864.

SIR: I herewith transmit to you, for your information, the copy of a translation of a note of the 11th instant from Mr. L. de Geofroy, the chargé d'affaires

of France, and of the reply from this department of the 12th instant, relative to the presence of United States troops in Matamoras.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., &c.

[For enclosure see correspondence with the French legation.]

No. 25.

Mr. Dayton to Mr. Seward.

No. 437.] PARIS, *March* 19, 1864.

SIR: I have the honor herewith to enclose to you a translation of a communication just received from Mr. Drouyn de Lhuys, in reference to the case of Mr. Mansfield, United States consul at Tabasco, Mexico.

I am, sir, your obedient servant,

WM. L. DAYTON.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c.

Mr. Drouyn de Lhuys to Mr. Dayton.

[Translation.]

PARIS, *March* 18, 1864.

SIR: The correspondence of the French diplomatic and consular agents in Mexico not having informed me of the vigorous measures of which Mr. Mansfield, consul of the United States at Tabasco, was the object, according to information received by the cabinet at Washington, I have requested my colleagues of the department of war and of the marine to make known to me if they had, on their part, any knowledge of the facts to which you have called my attention. M. le Marechal Randon and M. le C'te de Chasseloup-Laubat have just answered me that the reports of the commandant-in-chief of our naval division and of the superior commandant of Vera Cruz make no mention of an incident which, it seems, could not have escaped their attention. Although I have, on this account, no good reason to doubt the correctness of the information sent to Washington, I have, nevertheless, written to our consul at Vera Cruz, in order to obtain some more positive information in regard to this matter.

Accept the assurances of the high consideration with which I have the honor to be, sir, your very humble and very obedient servant,

DROUYN DE LHUYS.

Mr. DAYTON,
Minister of the United States at Paris.

No. 26.

Mr. Seward to Mr. Dayton.

No. 508.] DEPARTMENT OF STATE,
Washington, March 22, 1864.

SIR: Your despatch of the 4th instant, No. 428, has been received. Your proceedings respecting the case of Mr. Mansfield, therein reported, are approved.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., &c.

No. 27.

Mr. Seward to Mr. Dayton.

No. 510.] DEPARTMENT OF STATE,
Washington, March 23, 1864.

SIR: For your information I give you a further correspondence between Mr. Geofroy and this department on the subject of the proceedings of General Herron. I give you also a copy of resolutions concerning the French in Mexico introduced into the Senate by Mr. McDougall, of California.

It is not easy to understand here how any earnest debate upon such a question as Mr. Geofroy has raised can promote the interest of either France or the United States, or contribute to a good understanding between the two countries.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., &c.

JOINT RESOLUTION in relation to the occupation of Mexico by France.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the occupation of Mexico, or any part thereof, by the Emperor of France, or by the person indicated by him as emperor of Mexico, is an offence to the people of the republic of the United States of America.

SEC. 2. *And be it further resolved,* That the movements of the government of France, and the threatened movement of an emperor improvised by the Emperor of France, demand by this republic, if insisted upon, war.

No. 28.

Mr. Seward to Mr. Dayton.

No. 519.] DEPARTMENT OF STATE,
Washington, April 4, 1864.

SIR: I transmit herewith for your information a copy of a despatch of the 4th ultimo from the consul of the United States at Monterey, relative to the present difficulties in Mexico.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., &c.

Mr. Kimmey to Mr. Seward.

[Extract.]

UNITED STATES CONSULATE, MONTEREY, MEXICO,
March 4, 1864.

SIR: The difficulty between the general government and Governor Vidaurri is daily becoming more complicated. A decree from President Juarez, separating the States of Nuevo Leon and Coahuila, was given at Saltillo on the 26th ultimo. The following is a translation of the first article: "The State of Coahuila will

immediately re-assume its character as one of the free and sovereign States of the United Mexican States, separating itself from Nuevo Leon, in which it was incorporated." The separation of the two States gives President Juarez control of the Custen Hense or Piedras Negras. Governor Vidaurri refuses to recognize the authority of the President, and has declared his intention of driving him from Nuevo Leon and Coahuila, and for that purpose is raising all the forces he is able to arm.

Another decree from the President deposes Governor Vidaurri, and declares this State in open hostility to the government of Mexico. Communication between this place and Saltillo is almost entirely cut off; no provisions of any kind are allowed to come this way. No mails pass either way, and it is only by foreigners coming in that we are able to learn of the movements of the government troops.

The President has now, in addition to the troops he left here, a force of about two thousand men from Durango, commanded by Governor Petona in person, which, with the volunteers from Saltillo and other points in the State of Coahuila, swells his numbers to not less than five thousand men.

Governor Vidaurri has about twelve hundred men, but, with the artillery he has belonging to the government, he will be able to protect himself in the citadel against a large force.

An order was issued here on the 1st instant to the troops to prepare themselves to march in two days for Saltillo. The time was, to-day, further postponed until the 7th instant.

A man just in from Saltillo represents the troops of President Juarez preparing to march on this place. An advance of five hundred men were twenty miles this side of Saltillo.

A despatch from General Bazaine, of the French forces, to Governor Vidaurri, was received a few days since. The following is its substance:

"In one hand peace is offered; in the other war. If you accept the former, you must adhere to the intervention, frankly recognizing the government which is established in Mexico. If, on the contrary, you decide for the latter, you must expect to suffer all the calamities incident to war."

The governor made, in substance, the following answer:

"I have not the power to choose between the two extremes which you propose, but will submit this vital question to the people, as I have always done on grave subjects, and their determination transmit to you as soon as obtained."

No advance of the French army has been made since my last communication; but, on the contrary, the report of their retreat to San Luis Potosi is quite generally believed.

The reoccupation of the Guadaljara by General Urega, and the taking by him of four thousand French and Reactienania prisoners, has given new heart to the Mexicans of the liberal party.

The French army in San Luis Potosi is levying contributions on the citizens for its support, and, instead of bringing peace, as they offer in every instance in advance, they bring misery on the people wherever their army goes.

* * * * * * * *

Your obedient servant,

M. M. KIMMEY,
United States Consul.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

No. 29.

Mr. Seward to Mr. Dayton.

No. 520.] DEPARTMENT OF STATE,
Washington, April 5, 1864.

SIR: Your despatch of the 19th ultimo, No. 437, respecting the case of Mr. Mansfield, has been received with pleasure.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., &c.

No. 30.

Mr. Seward to Mr. Dayton.

No. 521.] DEPARTMENT OF STATE,
Washington, April 5, 1864.

SIR: I have to acknowledge the receipt of your despatch of the 21st ultimo, No. 438, giving me a slip from Galignani's Messenger, reprinting from the "Globe," of London, a statement in regard to an alleged willingness of the United States to accredit a minister to and receive one from the proposed emperor of Mexico. We are well aware that there was no foundation for the statement, and proper measures have been taken authoritatively to contradict it.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., &c.,

No. 31.

Mr. Seward to Mr. Dayton.

No. 524.] DEPARTMENT OF STATE,
Washington, April 8, 1864.

SIR: Your despatch of March 25, No. 440, has been received.

You allude therein to a report that reaches us through English journals of effect that it is arranged that the projected imperial government in Mexico shall soon extend a recognition to the insurgents at Richmond. The contradiction of this report, upon the authority of the Emperor of France, as you have communicated it to me, is gratifying, although no credit whatever has been given here to the statements referred to. On the contrary, it has not seemed probable that the Prince Maximilian could extend his guardianship to insurgents here while yet engaged in a struggle with the existing authorities of Mexico, unless, indeed, he was assured of support in that event by the government of France. Nor has it seemed probable, in view of previous explanations of M. Drouyn de Lhuys, that the Emperor of the French would be anxious to enlarge his responsibilities concerning American politics, at least before the Mexican problem should have definitely reached a solution.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq.

No. 32.

Mr. Dayton to Mr. Seward.

[Extract.]

No. 449.] PARIS, *April* 11, 1864.

SIR: After sundry impediments, which, it would seem, have rendered the action of the Archduke Maximilian somewhat uncertain, and have much delayed his departure, it would seem he has at last accepted the offered crown of Mexico, and to-day he starts on his most adventurous career, going to that country by the way of Rome that he may receive the benediction of the Pope. I enclose you a slip, cut from Galignani, giving the substance of his speech to the Mexican deputation upon accepting the crown offered by them, and likewise another short slip, cut from the Moniteur, being its only comment of to-day on the subject. The French papers say that his government will not only be promptly acknowledged by the Catholic powers, but by all the leading governments of Europe, including England, Russia, Prussia, and France. For something like this you will, of course, be prepared.

I need not say what I have in substance said before, that I look upon this proceeding with intense anxiety. Nothing has occurred since my residence at this court which foreshadows future difficulty with France so probably as its action in this matter. God grant that it may be long delayed, and, if possible, avoided; but I fear. * * * * * * *

I am, sir, your obedient servant,

WM. L. DAYTON.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c.

"TRIESTE, 10*th*.—The Emperor arrived at Miramar yesterday morning at eight o'clock. After signing the documents and taking breakfast, his Majesty returned to Vienna, accompanied by the archdukes and Count de Rechberg. Their Mexican Majesties will leave to-morrow at 4 p. m. The reception of the deputation takes place this day."

"TRIESTE, 10*th*.—This day, a little before noon, took place, at Miramar, the official reception of the Mexican deputation, and the acceptance of the crown of Mexico by the Archduke Maximilian. M. Gutierrez de Estrada, the head of the deputation, delivered a long address, in which he dwelt on the importance of the national vote of Mexico. The archduke, replying in Spanish, said that he felt not the slightest doubt, from the act of adhesion just presented to him, that the immense majority of the country were in favor of the imperial form of government, and of himself as the head of the state. The choice of the country had been laid down in his reply of October 3 as one condition of his acceptance; and another was, that full guarantees should be given of his being able to devote himself peaceably to the task of advancing the prosperity of the country. Those guarantees were now fully assured, thanks to the magnanimity of the Emperor of the French, who, during the whole of the negotiations, had shown a straightforwardness and kindness which he (the speaker) could never forget. 'The illustrious head of my family,' pursued the archduke, 'having given his consent, I now declare that, relying on the assistance of the Almighty, I accept the crown offered me by the Mexican nation. As I stated in my address of October 3, I shall endeavor to place the monarchy under the authority of the constitutional laws as soon as the pacification of the country shall be complete. The force of

a government is, in my opinion, more assured by sound regulations than by the extent of its limits, and I shall be anxious for the exercise of my government to fix such bounds to it as may insure its duration. I shall hold firmly aloft the flag of independence, as the symbol of our future grandeur. I call for the co-operation of all the Mexicans who love their country to aid me in the accomplishment of my noble but most difficult task. Never shall my government forget the gratitude it owes to the illustrious sovereign whose friendly support has rendered the regeneration of our noble land possible. I am now on the point of leaving for my new country, paying, as I go, a visit to Rome, where I shall receive from the holy father that benediction which is so precious for all sovereigns, but above all to me, called, as I am, to found a new empire.' "

[Translation.]

PARIS, *April* 10.

To-day, the 10th of April, at ten o'clock in the morning, the Archduke Maximilian received at his palace of Miramar the Mexican deputation charged with the duty of offering to him the crown. Mr. Gutierrez de Estrada, the head of the deputation, made a speech to his imperial and royal highness on presenting to him the vote of the people of the various localities.

The archduke replied by a formal acceptance.

The head of the deputation thanked his Majesty, and laid at his feet the testimonial of fidelity of the Mexican nation.

Immediately the Mexican flag was hoisted on the palace, and was saluted with twenty-one guns. A *Te Deum* was sung.

To-morrow, at four o'clock, the emperor and empress of Mexico will set out for their new dominions.

No. 33.

Mr. Dayton to Mr. Seward.

No. 450] PARIS, *April* 14, 1864.

SIR: I herewith enclose to you a number of slips, cut from Galignani of the 12th, 13th and 14th of this month, in reference to the Archduke Maximilian, and his acceptance of the throne of Mexico, which I have thought might be interesting to you.

I am, sir, your obedient servant,

WILLIAM L. DAYTON.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c.

The *Mémorial Diplomatique* gives a long account of the reception of the Mexican deputation at Miramar on Sunday. As the archduke always throws open his park to the public on holidays, an immense crowd collected to witness the arrival of the procession. The account says:

"Four carriages, belonging to his imperial highness, preceded by outriders, went to convey the deputation from the hotel where they had lodged at the expense of the archduke. The deputation was composed of M. Gutierrez de Estrada, the president; Colonel Velasquez de Leon, ex-minister; M. Aguilar, ex-chargé d'affaires; General Woll; M. Esandon, banker; and M. Landa, merchant. A number of eminent Mexicans, among whom were M. Arrangoiz, ex-minister of finance; M. Murphy, formerly Mexican envoy at London; Colonel

Fatio, M. Gutierrez de Estrada, jun., with several generals, colonels, and other officers, accompanied the deputation. All were in full uniform, as were also the officers of the household of the archduke, aides-de-camp, and the chamberlains. The deputation, after being received by Count Zichy, who filled the functions of grand master of the household of his imperial highness, were introduced into the grand drawing-room, into which the Archduke Maximilian, wearing the uniform of an Austrian vice-admiral, immediately afterwards entered. The French and Belgian ministers in Austria were present at the solemnity. M. Gutierrez de Estrada then delivered a speech in the Spanish language expressing the joy felt by the Mexican deputation in finding themselves in presence of his imperial highness; they had come in the name of the imperial regency to announce that the vote of the notables which had conferred the crown on him is henceforth ratified by the enthusiastic adhesion of the immense majority of the country; the unanimous acclamation of the notables of Mexico, of the municipal authorities, and of the popular corporations, has become a truly national vote.'

The archduke then made the reply which has been transmitted by telegram. The account then goes on to say:

"As soon as the archduke had uttered the last word, the deputation and all the Mexicans present acclaimed their new sovereign by crying out three times: 'God save the Emperor Maximilian I.' 'God save the Empress Charlotte!' At the same instant, salutes of artillery, fired from the bastions of the castle, announced to the public the accession of the Archduke Maximilian to the throne of Mexico, and were immediately followed by other salutes from the port and town of Trieste. Then M. Gutierrez de Estrada, as president of the deputation, returned thanks to his Majesty for his definitive acceptance of the Mexican crown. He said:

"'Sire, this complete and absolute acceptation on the part of your Majesty is the prelude of our happiness; it is the consecration of the salvation of Mexico, of its approaching regeneration, of its future greatness. Every year, on this day, our children will offer up their thanksgivings to heaven in gratitude for our miraculous deliverance. As for us, sire, there remains a last duty to perform, and that is to lay at your feet our love, our gratitude, and the homage of our fidelity!'"

"On saying those words the president of the deputation bent his knee and kissed the hand of the new sovereign according to Spanish custom, as a mark of homage. His example was followed by all the Mexicans present. A proces verbal of the acceptance of the crown of Mexico having been drawn up, the emperor Maximilian first affixed his signature to it, after which the members of the deputation did the same, and lastly the notable Mexicans. That ceremony having been accomplished, the deputation proceeded into the apartments of the Princess Charlotte, whom they also proclaimed, and rendered homage to her in the same manner. While those things were taking place at Miramar, the news of the proclamation of the emperor of Mexico had already reached Trieste, and the bishop had a solemn *Te Deum* of thanksgiving celebrated in the cathedral of San Giusto, at which all the authorities of the town were present. Salutes from the batteries were fired at the same time. On the same day M. Zelasquez de Leon, minister without portfolio, and General Woll, chief of the military household, took possession of their respective posts near the person of the emperor. In the evening there was to be a grand dinner at Miramar, when the new emperor was to appear for the first time in the uniform of a Mexican lieutenant general, modified on the model of the French army. His Majesty Maximilian I will also wear the insignia of the order of the Virgin of La Guadalupa and of the national order of Mexico. A grand representation and a full-dress ball are to be given at the theatre at Trieste by the municipality."

The same journal likewise gives some information as to the settlement of the

difference which has arisen concerning the Archduke Maximilian's position in the reigning family in Austria. It says:

"To avoid dynastic quarrels and obviate the partition of the patrimonial property of the house of Austria, a family law imposes on every archduchess contracting marriage the obligation of signing an act of renunciation. By this engagement she undertakes not to raise for herself or for her descendants of either sex any pretensions to the eventual succession to the throne, nor to any participation in either the endowments raised on the patrimonial property, or the inheritances which might fall in *ab intestato*. The creation of the patrimonial property dates from the reign of Maria Theresa; a considerable portion of the family property was set aside for the extraordinary requirements of the different members of the family. The Grand Duke of Tuscany and the Duke of Modena, for example, now receive from that source incomes which could not figure on the budget of the state. Until now these acts of renunciation had only occurred on the marriage of archduchesses. The acceptation of a foreign crown by an archduke is a fact without precedent in the annals of the house of Hapsburg. Was it advisable to subject the archduke to the above-mentioned law? A family council, which assembled during the last stay of the archduke in Vienna, took the question into consideration. Different considerations caused the majority of its members to decide in the affirmative. The Archduke Maximilian is the first agnate. As such, if (which Heaven forbid) the Emperor Francis Joseph should die without a male heir, he would be called on by right to the succession to the throne. There was so little time after the return of the archduke to Vienna from Brussels, where he received the final vote of the Mexican nation, that it was not possible to make all the family arrangements before the time first fixed for receiving the deputation. He was therefore called on to give his adhesion to a copy of the acts of renunciation which the archduchesses usually signed previously to their marriage, and which had always hitherto remained in the same form. In the precipitation which circumstances rendered necessary, the great difference between an archduke accepting a foreign crown and an archduchess marrying a foreign prince had been overlooked. Every princess by her marriage ceases to belong to the imperial family, and loses her quality of agnate to such an extent that her heirs are only entitled to the title of cognates. The Archduke Maximilian, on the contrary, still retained his title of first agnate, after accepting the sceptre of Montezuma. This consideration justifies the objections which the archduke raised against the document submitted for his signature. Negotiations were found necessary to bring matters to an arrangement. As regards the former, the wording of the act has been completely changed, in order not only to remove whatever might wound the prince's feelings, but also to mention the spontaneousness of his resolution. As regards the substance, the prince, having firmly resolved to devote himself to the destinies of the people which has chosen him, renounces for himself and his heirs, of both sexes, all right to the eventual succession to the throne of Austria *so long as the new Mexican dynasty shall continue to reign*. The renunciation is therefore not absolute. In declaring that the effects of his renunciation will continue so long as his dynasty shall reign, he implicitly deprives himself of the right of abdicating, except under the pressure of causes independent of his will. He also engages to respect accomplished facts in the interior of the Austrian monarchy. After leaving, if during his absence one of his brothers should be called on to succeed to the throne, he would recognize him as legitimate sovereign. We have no need to point out the extent of the concession at the point of view of Mexican interests. But that is not all: the archduke has made other sacrifices; he has abandoned the half of his appenage, and the whole of his rights of succession *ab intestato*. The future empress, as archduchess, received a sum of 20,000 florins (50,000 fr.) as pin money; wishing to join in the disinterestedness of her august husband, she has also renounced that income. Finally,

the difficulties of which we have just pointed out the origin and the conclusion will have, on the whole, only served to place more in relief the noble and generous character of the archduke."

The late proceedings at Miramar and the acceptation of the Mexican throne by the Archduke Maximilian are remarked on by several of the Paris journals, which seem to draw a long breath of satisfaction at finding this apparently interminable affair at last brought to a close. The *Constitutionnel* has the subjoined observations:

"Every one is well aware to what a condition anarchy, under the form of a republic, had reduced Mexico. Both France and Europe knew only too well the deplorable state, as far as concerns both her material and her moral interests, into which that unfortunate country had fallen, in consequence of the ephemeral and spoliating governments, scarcely recognized at home and despised abroad. What is less known is that Mexico, already despoiled of half her territory, was the sure and speedy conquest of the United States. The word conquest, however, is too noble; for Mexico was put up to the highest bidder. If the disgraceful contract had been realized, the consequences of it would have been incalculable; the Latin races would have received a check from which they would with difficulty have recovered. The principles of civilization, which constitute our moral influence in the world, would have been deeply interfered with; that is the idea which the Emperor Napoleon III expressed with extraordinary energy in his letter to the commander-in-chief of the French expedition. Mexico, by the re-establishment of the monarchy, returns into her traditional path, and again finds the true conditions of order and prosperity without sacrificing anything of her independence. What a noble mission for the young prince who accepts it so boldly, and comprehends it so well! France will thus have once more merited well from civilization. Once more short-sighted politicians will have been in the wrong, and, thanks to the great prudence which presides over our destinies, and to that perseverance which triumphs over obstacles and marches forward to its object with admirable calmness, this regeneration of Mexico which is being prepared will be one of the noblest pages of our civilizing mission in the world."

The *France* also has some remarks on the same subject, the following being an extract:

"The acceptance of the throne of Mexico by the Archduke Maximilian is for France a complete solution. Her task is finished. Her army will now return home in succession, with the prestige of a fresh glory and the consciousness of having performed one of the most considerable works of the present age. The expenses which that great expedition has entailed are about to be reimbursed with all the legitimate indemnities that French subjects can claim. We have in the face of history the honor of having constituted, alone, in spite of the desertion of our allies, and notwithstanding the difficulties and perils of the undertaking, in the rich regions of Central America, an empire, the stability of which is important for the interests of the whole world. It is not only a triumph for the French flag, but also for our principles. The Mexican empire is established on the basis of popular suffrage, which is, in the new right of which France is the expression, the only legitimate foundation of governments. It is also a triumph for that great policy which occupies itself before all with the general balance of power of modern nations, and which, in establishing in Mexico a strong, national, and regular government there, defends at once the interests of Europe and those of all the nationalities of South America. Lastly, French interests must there find guarantees and particular advantages, which cannot fail to excite attention. There has been created on the other side of the Atlantic, by the victories of our soldiers, an empire which owes its existence to us; which the bonds of the most cordial friendship and of the most legitimate gratitude must unite to us; which will give fresh strength to the straightforward

influence of our policy in the New World, and open the unexplored treasures of its vast territory to French commerce and industry. The dignified and elevated speech delivered by the new emperor, on receiving the Mexican deputation, proves how highly he appreciates and how much he desires to second the generous views of France. He twice expressed, in the warmest terms, his deep gratitude and his lively sympathy for the sovereign whose firm policy has conquered for him a powerful throne. The work of France has terminated. That of the emperor Maximilian now begins."

The *Nation* expresses itself in these terms:

"There is above all a fact which ought to be placed in the strongest light. In accepting the throne of Mexico, in virtue of popular right, the Archduke Maximilian renders to that source of authority a striking homage, which is the more precious that it emanates from a Hapsburg, and a member of that dynasty which thus far has the most openly disdained and outraged the principle of national sovereignty. We are about to witness the strange spectacle of two brothers, one of whom in Europe overrides that principle of nationality from which the other in Mexico demands the consecration of his sovereign power. We shall, no doubt, be permitted to invoke this precedent when we are contending against the policy of Austria in Italy, Hungary and elsewhere. The example of Maximilian I promises, besides, other arguments to the defenders of liberal causes. The prince proposes to inaugurate a constitutional régime which will soon replace, in his hands, the constituent power which has provisionally devolved on him. The fact must not be concealed that in a country disordered and ravaged by civil war the reign of liberty will be difficult to establish; in such a régime is, however, the only hope of safety. A system of government which has been preceded by a foreign rule should more than any other invigorate and strengthen itself by the employment of the national resources. An abuse of power could only give the prince a temporary authority; by a liberal government only can be effected a reconciliation and a pacification of all the opposing elements by which Mexico is disturbed. Arbitrary power will, besides, not be easily implanted in a country which has thrown off the yoke of its dictatorships, and which has before it, around it, and everywhere, the example of nations governing themselves and prospering by liberty."

"Letters from Vienna," says the *Patrie*, "state that the parting of the Emperor from his brother, the Archduke Maximilian, was rather cool. The idea of a Mexican empire with an Austrian prince as sovereign met with decided resistance, up to the very last moment, in the official circles of the Austrian capital. The firmness of character of the archduke alone was able to triumph over that opposition, and now that the uselessness of all those efforts has been proved, the watchword in the regions of Vienna is: 'Mexico and its emperor are strangers to Austria and her interests.'"

THE EMPEROR OF MEXICO.—A telegram from Trieste to-day informs us that his Majesty is now much better, and intends to leave Miramar on Thursday next.—(*Globe.*)

The future empress of Mexico has just turned author, and issued privately "Souvenirs de Voyage à bord de la Fantasie," and "Un Hiver dans l'Isle de Madère."—(*Reader.*)

No. 34.

Mr. Dayton to Mr. Seward.

No. 452.] PARIS, *April* 18, 1864.

SIR: I herewith send you a printed translation of the "Convention concluded *between France* and Mexico, to regulate the conditions of the stay of the French

troops in this last-named country for the purpose of establishing order and consolidating the new empire."

The convention explains itself.

I am, sir, your obedient servant,

WM. L. DAYTON.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c.

[Enclosure.]

The Moniteur, in its official part, contains the text of the convention concluded between France and Mexico, to regulate the conditions of the stay of the French troops in this last-named country for the purpose of establishing order and consolidating the new empire. The convention runs thus:

The government of the Emperor of the French and that of the emperor of Mexico, animated with an equal desire to secure the re-establishment of order in Mexico and to consolidate the new empire, have resolved to regulate by a convention the conditions of the stay of the French troops in that country, and have named their plenipotentiaries to that effect, viz:

The Emperor of the French, M. Charles Herbst, minister plenipotentiary of the first class, councillor of state, director of the ministry of foreign affairs, grand officer of the legion of honor, &c.;

And the emperor of Mexico, M. Joaquin Velasquez de Leon, his minister of state without portfolio, grand officer of the distinguished order of our Lady of Guadalupe, &c.;

Who, after having communicated to each other their full powers, agreed on the following provisions:

ARTICLE 1. The French troops at present in Mexico shall be reduced as soon as possible to a corps of 25,000 men, including the foreign legion. This corps, in order to safeguard the interests which led to the intervention, shall remain temporarily in Mexico, on the conditions laid down by the following articles:

ART. 2. The French troops shall evacuate Mexico in proportion as the emperor of Mexico shall be able to organize the troops necessary to replace them.

ART. 3. The foreign legion in the service of France, composed of 8,000 men, shall nevertheless remain in Mexico six years after all the other French troops shall have been recalled, in conformity with article 2. From that moment the said legion shall pass into the service and pay of the Mexican government, which reserves to itself the right of abridging the duration of the employment of the foreign legion in Mexico.

ART. 4. The points of the territory to be occupied by the French troops, as well as the military expeditions of the said troops, if there be any, shall be determined in common concord directly between the emperor of Mexico and the commandant-in-chief of the French corps.

ART. 5. On all the points where the garrison shall not be exclusively composed of Mexican troops, the military command shall devolve on the French commander. In case of expeditions combined of French and Mexican troops, the superior direction of those troops shall also belong to the French commander.

ART. 6. The French commander shall not interfere with any branch of the Mexican administration.

ART 7. So long as the requirements of the French corps d'armée shall necessitate a tri-monthly service of transports between France and Vera Cruz, the expense of the said service, fixed at the sum of 400,000 francs per voyage, (going and returning,) shall be paid by Mexico.

ART. 8. The naval stations which France maintains in the West Indies and in the Pacific ocean shall often send vessels to show the French flag in the ports of Mexico.

ART. 9. The expenses of the French expedition to Mexico, to be paid by the Mexican government, are fixed at the sum of 270 millions for the whole duration of the expedition down to the 1st July, 1864. That sum shall bear interest at the rate of 3 per cent. per annum. From the 1st July all the expenses of the Mexican army shall be at the charge of Mexico.

ART. 10. The indemnity to be paid to France by the Mexican government for the pay and maintenance of the troops of the *corps d'armée* after the 1st of July, 1864, remains fixed at the sum of 1,000 francs a year for each man.

ART 11. The Mexican government shall hand over to the French government the sum of sixty-six millions in bonds of the loan, at the rate of issue, viz: fifty-four millions to be deducted from the debt mentioned in article 9, and twelve millions as an instalment of the indemnities due to Frenchmen in virtue of article 14 of the present convention.

ART. 12. For the payment of the surplus of the war expenses, and for acquitting the charges in articles 7, 10, and 14, the Mexican government engages to pay annually to France the sum of twenty-five millions in specie. That sum shall be imputed, first, to the sums due in virtue of articles 7 and 10; and secondly, to the amount, interest and principal, of the sum fixed in article 9; thirdly, to the indemnities which shall remain due to French subjects in virtue of article 14 and following.

ART. 13. The Mexican government shall pay, on the last day of every month, into the hands of the paymaster general of the army, what shall be due for covering the expenses of the French troops remaining in Mexico, in conformity with article 10.

ART. 14. The Mexican government engages to indemnify French subjects for the wrongs they have newly suffered, and which were the original cause of the expedition.

ART. 15. A mixed commission, composed of three Frenchmen and three Mexicans, appointed by their respective governments, shall meet at Mexico within three months, to examine and determine these claims.

ART. 16. A commission of revision, composed of two Frenchmen and two Mexicans, appointed in the same manner, sitting at Paris, shall proceed to the definite liquidation of the claims already admitted by the commission designated in the preceding article, and shall decide on those which have been received for its decision.

ART. 17. The French government shall set at liberty all the Mexican prisoners of war as soon as the emperor of Mexico shall have entered his states.

ART. 18. The present convention shall be ratified, and the ratifications exchanged as early as possible.

Done at the castle of Miramar, this 10th day of April, 1864.

HERBST.
JOAQUIN VELASQUEZ DE LEON.

Mr. Dayton to Mr. Seward.

No. 35.

[Extract.]

No. 454.] PARIS, *April* 22, 1864.

SIR: I visited M. Drouyn de Lhuys yesterday, at the department of foreign affairs. The first words he addressed to me on entering the room were, "Do you bring us peace, or bring us war?" I asked him to what he referred, and he said he referred more immediately to those resolutions recently passed by Congress in reference to the invasion of Mexico by the French, and the establish-

ment of Maximilian upon the throne of that country. I said to him, in reply, that I did not think France had a right to infer that we were about to make war against her on account of anything contained in those resolutions. That they embodied nothing more than had been constantly held out to the French government from the beginning. That I had always represented to the government here that any action on their part, interfering with the form of government in Mexico, would be looked upon with dissatisfaction in our country, and they could not expect us to be in haste to acknowledge a monarchical government built upon the foundations of a republic which was our next neighbor. That I had reason to believe you had held the same language to the French minister in the United States. This allegation he did not seem to deny, but obviously viewed the resolutions in question as a serious step upon our part; and I am told that the leading secessionists here build largely upon these resolutions as a means of fomenting ill feeling between this country and some others and ourselves. Mr. Mason and his secretary have gone to Brussels to confer with Mr. Dudley Mann, who is their commissioner at that place. Mr. Slidell, it is said, was to have gone to Austria, although he has not yet got off.

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I am, sir, your obedient servant,

WM. L. DAYTON.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c.

No. 36.

Mr. Seward to Mr. Dayton.

No. 537.] DEPARTMENT OF STATE,
Washington, April 28, 1864.

SIR: I have the honor to enclose for your information a copy of a despatch of the 1st instant, No. 141, received at this department from Charles A. Leas, esq., our commercial agent at Belize, respecting the arrival at British Honduras of a number of southern refugees from Texas.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., *&c.*

No. 141.] UNITED STATES CONSULAR AGENCY,
Belize, April 1, 1864.

SIR: By an arrival from Matamoras we have added to the population of this colony a number of southerners, who escaped from Texas, and have determined to take up their residence within these possessions. They report that there is no hope left for the confederacy, and that there are thousands now in Texas who are anxious to escape, but cannot, in consequence of the stringency of the blockade. That is to say, these are parties who either cannot remain in the south after the rebellion shall be closed, in consequence of their not being comprehended in the amnesty proclamation, or from a deep-seated hatred and animosity will not again consent to reside among us as brother members of the same national family.

The individuals above referred to, as having just arrived here, are the second arrival of the kind within the past few weeks, all bringing the same report. Now, if these reports be true, (and I doubt not they are true,) then it seems to

me that an important consideration is at once presented, namely, as to whether it would not be humane as well as politic to allow *some* door to be opened by which such persons may escape from our country. If their animosities are such that they are no longer willing to live with us in peace, then I argue that they are not worth having as citizens and residents. Their places can soon be filled by a better class of persons. When I write thus, it must not be presumed that I would have our government and nation ignore the punishing, even to the execution of a death sentence, the arch-traitors, and to accomplish that end to carefully close all the avenues by which such might escape. I refer more particularly to that class of persons who, from bitterness of feeling, are unwilling to take an oath of allegiance, or to longer live in peace with us, and hence prefer to seek a home in a foreign land. The fact is, that the authorities and large landed proprietors of this colony imagine that they can see in those persons the hope of this country; that, if they can be allowed to escape from the south, thousands would seek their homes in British Honduras, thus furnishing at once an intelligent, experienced and producing population, particularly in the cultivation of cotton, sugar, tobacco, &c., and I have made the suggestions herein contained at the direct request of some wealthy and influential gentlemen of this place. On yesterday Governor Austin gave his first dinner party, at which this subject was canvassed, and I there promised to communicate with the United States government in regard to the matter; hence, if you deem the suggestions worthy of consideration, I beg to ask, on behalf of the parties above alluded to, at the head of which may be considered the governor, that you will be pleased to communicate it to the honorable Secretary of State, through whom it may reach the President.

With great respect, I have the honor to be your most obedient servant,

CHARLES A. LEAS,
United States Consular Agent.

Hon. F. W. SEWARD,
Assistant Secretary of State, Washington.

No. 37.

Mr. Seward to Mr. Dayton.

No. 538.] DEPARTMENT OF STATE,
Washington, April 30, 1864.

SIR: Your despatch of April 11, No. 449, has been received.

I thank you for the information it brings concerning the acceptance of the tendered crown by the Archduke Maximilian, and his intended departure for Mexico.

Events which have recently occurred in the eastern section of that country, if they are correctly reported, show that the Mexican national authorities are not likely to be immediately suppressed. It is of course not impossible that new embarrassments for this government may grow out of the archduke's assumption of authority in Mexico. But we shall do all that prudence, justice, and honor require to avert them, at the same time we shall not forego the assertion of any of our national rights.

If such precautions fail to secure us against aggression, we shall then, I trust, be able to rise, without great effort, to the new duties which in that case will have devolved upon us. I remain now firm, as heretofore, in the opinion that the destinies of the American continent are not to be permanently controlled by any political arrangements that can be made in the capitals of Europe.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., *&c.*

No. 38.

Mr. Seward to Mr. Dayton.

No. 540.] DEPARTMENT OF STATE,
Washington, May 4, 1864.

SIR: Your despatch of the 18th ultimo, No. 452, enclosing a printed translation of a convention between France and the Archduke Maximilian in regard to Mexico has been received.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., *&c.*

No. 39.

Mr. Seward to Mr. Dayton.

No. 542.] DEPARTMENT OF STATE,
Washington, May 9, 1864.

SIR: Your despatch of April 22, No. 454, has been received. What you have said to M. Drouyn de Lhuys on the subject of the resolution of the House of Representatives concerning Mexico, as you have reported it, is entirely approved. The resolution yet remains unacted upon in the Senate.

Mr. Corwin was to leave Vera Cruz on the 3d instant under the leave of absence granted to him by this department on the 8th of August last.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., *&c.*

No. 40.

Mr. Dayton to Mr. Seward.

No. 465.] PARIS, *May* 16, 1864.

SIR: In a recent conference with M. Drouyn de Lhuys he complained seriously of your late action in refusing to the French navy a supply of coal bought by it in New York. He says France never has declared and never will declare coal contraband of war; that if the United States should do so, it would be a retrograde move, inasmuch as its traditional policy had always been in favor of neutrals and in limitation rather than in extension of the list of contraband. He hopes that we will not retrace our steps, but, in this matter, adhere to our past policy; that France has always gone with us, or we with her, on these questions of maritime law, and he does not think it for the interest of either country to part company; at least, that was the inference from his language.

He informed me, further, that your opinion was understood to be favorable to letting the coal go to the French vessels, but difficulty was made by the Secretary of the Treasury. I told him, if this were so, there might be some question connected with the revenue which had interfered, but he thought otherwise, and said that it was made to rest purely upon the question, is coal contraband of war? This is a question of deep interest to the French government—deeper, perhaps, than to us, she having a large navy and *little coal*, while Great Britain and the United States have an abundance of the latter article.

He said, further, that if the United States should declare coal contraband of war, it would place France in a false position in reference to our country. That she, France, holding coal not to be contraband, would be compelled to supply it to our enemies in time of war, and to the confederates, while denying it to us because we denied it to them. That they would dislike much to be placed in a position indicating such apparent want of neutrality, yet that it would be inevitable if coal was declared by us contraband of war.

There is a good deal of sensitiveness manifested here upon this point. M. Rouher, minister of state, referred to it, I observe, in his late speech in the Chamber of Deputies.

I am, sir, your obedient servant,

WM. L. DAYTON.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c.

No. 41.

Mr. Seward to Mr. Dayton.

No. 561.] DEPARTMENT OF STATE,
Washington, May 21, 1864.

SIR: I have the honor to acknowledge the receipt of your despatch of May 2, No. 461, and to approve of your proceedings therein mentioned. We learn that Mr. Corwin, our minister plenipotentiary to Mexico, is at Havana, on his return to the United States, under leave of absence.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., *&c.*

No. 42.

Mr. Seward to Mr. Dayton.

No. 557.] DEPARTMENT OF STATE,
Washington, May 23, 1864.

SIR: I enclose a copy of a despatch of the 27th ultimo, and of its accompaniments, addressed to this department by Mr. Chase, consul general of the United States at Tampico, from which it appears that that officer has been treated very rudely by the French military commandant there, and even threatened with imprisonment. You will make a proper representation upon the subject to the minister for foreign affairs of France, and will state to him that due reparation will be expected by this government. As the correspondence speaks for itself, no inquiry as to the facts of the case would seem to be necessary.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., *&c.*

Mr. Chase to Mr. F. W. Seward.

No. 18.] CONSULATE GENERAL OF THE UNITED STATES,
Tampico, April 27, 1864.

SIR: I have the honor to enclose herewith a copy of a note (No. 1) addressed to me by the French superior commandant of this place on the 25th instant; also a copy of my reply thereto, (No. 3,) which was written and sent to that officer thirty minutes after the receipt of his first note, (marked No. 1,) although it was received at twilight

My clerk went to and returned from the office of the commandant three times, without finding him, for the purpose of putting him in possession of the above-mentioned reply.

At the hour of 9.30 p. m. I received the second note, (No. 2,) menacing me with imprisonment, and, without knowing its contents, I sent him the reply, (No. 3,) after which I was not molested.

The opportune arrival of the United States steamer Kanawha, Captain Taylor, off this bar on the following morning had the effect to soften the temper of this imperious superior commandant; still, I consider it my duty to submit this case to your decision, indulging the hope that redress for this outrage will be speedily demanded by my government.

I am, with great respect, sir, your most obedient servant,

FRANKLIN CHASE.

F. W. SEWARD, Esq.,
Assistant Secretary of State, Washington, D. C.

No. 1.

Commandant Givertoss to Mr. Chase.

[Translation.]

TAMPICO, *April* 25, 1864.

The commander-in-chief of Tampico begs the consul of the United States to be pleased to give him the names and Christian names of the individuals who have this day entered this city, and who have not reported themselves at our office. He will be pleased to guarantee, under his responsibility, the good conduct of these persons. In case he should not do so, the superior commandant will have them arrested as vagabonds. We require an immediate reply.

The superior commandant,

V. DE GIVERTOSS.

The CONSUL *of the United States.*

Commandant Givertoss to Mr. Chase.

No. 2.

[Translation.]

TAMPICO, *April* 25, 1864.

It seemed to me that I had asked of the consul of the United States what were the names of the Americans who had this day entered our city. Let him be pleased to answer immediately for the good conduct of those individuals,

otherwise I shall find myself under the painful necessity of making him personally responsible therefor, and to make him my prisoner. Reply immediately.

The superior commandant,

V. DE GIVERTOSS.

The UNITED STATES CONSUL.

No. 3.

Mr. Chase to Commandant Givertoss.

CONSULATE GENERAL OF THE UNITED STATES,
Tampico, April 25, 1864.

SIR: In reply to your note of the present date, I have the honor to state to you that the only persons I am aware of who have arrived in this city are those that came in on yesterday, viz: Charles E. Johnson, William Garret, and Lewis Davison, seamen, and five passengers—the names of the latter I have not as yet ascertained—all of whom are from the American schooner E. D. McClenahan, G. R. Edgett, master, which vessel was lately wrecked near Soto la Marina on her passage from New Orleans for this port.

These persons are doubtless peaceable; but if I should hear of anything to the contrary, they will not receive any countenance or protection from this consulate.

I have the honor to be, sir, most respectfully, your obedient servant,

FRANKLIN CHASE.

The SUPERIOR COMMANDANT *of this place, &c.*

No. 43.

Mr. Dayton to Mr. Seward.

No. 476.] PARIS. *May* 31, 1864.

SIR: Mr. Drouyn de Lhuys has sent me a written answer to the late application which I again addressed to him in the case of Mr. Mansfield, our consular agent at Tabasco, of which answer I herewith send you a translation.

I am, sir, your obedient servant,

WM. L. DAYTON.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c.

[Translation.]

Memorandum.

PARIS, *May* 27, 1864.

M. the minister of the United States has again called the attention of the minister of foreign affairs to the alleged arrest of Mr. Mansfield, consular agent of the United States at Tabasco.

Up to the present moment M. Drouyn de Lhuys is unable to add anything to the communication which he has already addressed to Mr. Dayton on this subject. He took care, as he announced to him, to write to Vera Cruz to obtain some explanation of this affair, on the subject of which nothing had reached either his department or those of the war and the navy; but the time which has passed since the departure of this request for information in Mexico is not sufficient to have been able to receive an answer.

On the other hand, it appears from a communication from Mr. Seward to the chargé d'affaires of his Imperial Majesty that the cabinet of Washington had itself no positive information upon the fact which had been reported to it; that it was from this motive more particularly that it had directed M. the minister of the United States at Paris to make inquiries as to what the French government might have received. It is the same desire to be better informed upon the incident in question which had decided it to send a federal vessel to seek upon the spot some surer information.

No. 44.

Mr. Seward to Mr. Dayton.

No. 564.] DEPARTMENT OF STATE,
Washington, May 31, 1864.

SIR: I have received your despatch of the 16th of May, No. 466, and I am gratified to learn that the explanations you have made concerning the temporary inconveniences resulting from the postponement of the intended visit of French officers and from the present suspension of the privilege conceded for the removal of French tobacco have been made in so satisfactory a manner.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., &c.

No. 45.

Mr. Seward to Mr. Dayton.

No. 567.] DEPARTMENT OF STATE,
Washington, May 31, 1864.

SIR: With reference to the case of Mr. Mansfield, United States consul at Tabasco, respecting whose imprisonment there you have already been instructed, a copy of a despatch from him of the 10th of February last is herewith transmitted. This despatch you may make the basis of a further communication to M. Drouyn de Lhuys on the subject.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., &c.

No. 46.

Mr. Dayton to Mr. Seward.

No. 484.] PARIS, *June* 8, 1864.

SIR: In a recent despatch, No. 467, I informed you that Mr. Drouyn de Lhuys had assured me that the iron-clad rams at Bordeaux had been disposed of to a neutral power, and that I might rest assured that the other four vessels building there should not go into the possession of the confederates.

* * * * * * * * *

I thought M. Drouyn de Lhuys was rather disposed to find fault with late proceedings of our government. He referred again to your refusal of coal to their fleet, and to your giving up, as he said, to be hanged the secretary of

Vidaurri, who had fled to Brownsville for protection, although now there was scarcely a war against France in Mexico—nothing against them but some roving marauding bands. He said, too, after their military officers were on the ocean to visit our country, with a view to examine what was to be seen there, and with our assent and assurance of welcome, they were then informed that *this line* or *that* could not be examined. M. Drouyn de Lhuys said it would have been more agreeable if notice had been sooner given, &c., &c. I could not but feel that this querulousness was in part the result of a consciousness that we, and not they, really had just cause of complaint. He was disposed to anticipate me in these matters—to complain rather than be complained of.

I am, sir, your obedient servant,

WM. L. DAYTON.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c.

No. 47.

Mr. Seward to Mr. Dayton.

No. 573.] DEPARTMENT OF STATE,
Washington, June 8, 1864.

SIR: Referring to my instructions of the 23d ultimo, No. 557, and to its accompaniments, relative to the rude treatment of Mr. Chase, the United States consul at Tampico, by the French military commandant there, I now transmit a copy of a further despatch from Mr. Chase of the 10th ultimo, No. 21, which gives a more detailed account of the matter. I need only to say that the aggression on the consul, for which you can ask reparation, is the menace contained in the second note of the French commandant to Mr. Chase.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., *&c.*

Mr. Chase to Mr. F. W. Seward.

No. 21.] CONSULATE GENERAL OF THE UNITED STATES,
Tampico, May 10, 1864.

SIR: On the 27th ultimo I had the honor to address a letter to you on the subject of two notes sent to me by the French superior commandant of this place, with which I enclosed copies of the said notes and copy of my reply to the first. A press of business on this consulate, and the prompt despatch of the British steamer's mail, prevented me from sending a full report and the requisite translations, an omission which I now beg leave to supply, with the following explanations and enclosures.

From the outset of the French intervention with this country I have carefully pursued a strictly neutral course, and every American citizen residing in this place has followed my advice and example; and up to the present moment not one of them has been accused of meddling in the political or military affairs of the country. In the mean time I have firmly defended their just rights, but invariably manifesting a conciliatory disposition.

You will please perceive that in the first note of the French commandant he demands the names of certain individuals who, he alleges, entered this city on that day, (April 25,) and endeavored to hold me responsible for their moral conduct. That note was written in the French language, and not delivered to me until twilight on the day of its date; and, notwithstanding the unseasonable hour, I obtained a verbal translation, and sent my reply to it in thirty minutes after its receipt; but my clerk, not finding him in his office, went and returned with it three consecutive times without finding him. At 9.30 p. m. I received the second note, and, not knowing its contents, I again sent my reply to the first.

The second note was so written as to leave me in doubt whether the threat of imprisonment extended to me or not, and under that doubt I called at an early hour on the commandant, and pointed out the impropriety of his attempt to hold me responsible for the conduct of any persons entering this place. He excused himself on the plea of alarming reports there were in circulation.

In this state of affairs Captain Taylor, of the United States steamer Kanawha, happily arrived here, and, fearing that the appearance of that vessel might excite some real alarm, I lost no time in presenting that officer to the commandant, who courteously reported the presence of his vessel.

On my return to my office, I had a careful perusal of the second note, and ascertained that the threat of imprisonment was actually made against me, and I felt much regret that I had paid these visits.

The individuals who entered this city were those mentioned in my reply to the commandant, all of whom were duly reported to the captain of the port. Among the passengers there was only one American citizen.

I did not think it proper to reply to the second note from the commandant, but I expressed my astonishment at its contents to the acting French consul at this port, remarking at the same time that no difficulty was pending between our respective governments, and that it behooved the authorities here not to provoke any.

Shortly after that conversation the consul was sent to me with a message from the commandant offering to retire his notes. In reply, I stated that if the commandant felt any regret for his conduct towards me, and was willing to offer an apology in writing, I would take much satisfaction in forwarding it to my government, as the affair was now too serious to be decided by this consulate.

This offer was declined, and I now respectfully beg leave to submit this plain statement of the case to you, believing that you will consider it of sufficient importance to take measures for obtaining redress for this unprovoked wrong and security for my future protection.

I have the honor to be, sir, with great esteem and respect, your most obedient servant,

FRANKLIN CHASE.

FREDERICK W. SEWARD, Esq.,
Assistant Secretary of State, Washington.

[The two notes and reply referred to in the above despatch, and which formed its accompaniments, are the same as those enclosed in Mr. Chase's despatch of the 27th of April last, No. 18, published in despatch of the 23d of May, No. 557, to Mr. Dayton.]

No. 48.

Mr. Dayton to Mr. Seward.

No. 489.] PARIS, *June* 13, 1864.

SIR: I have the honor to enclose herewith an *original letter* received a few days since from certain individuals, lately officers of the Mexican army, now

prisoners of war in France, together with a copy of the answer returned acknowledging its receipt.

I am, sir, your obedient servant,

WM. L. DAYTON.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c.

[Translation.]

TOURS, DEPARTMENT OF INDRE LOIRE, *May* 26, 1864.

SIR: As soon as the blind apologists of the sophisms and prejudices of another epoch roused the passions and interests of the government near which you are accredited, producing the unjustifiable invasion of which the Mexican territory is at present the theatre, we comprehended the new field which presented itself to the human race to continue its conquests of progress, of improvement, and of perfection, to which it incessantly aspires in compliance with laws which nothing can impede.

Abstracting ourselves from selfish thoughts, we enter in good faith on the path of investigation, seeking the rules of morality, the dogmas of philosophy, the precepts of justice, on which might hang the pretext for overthrowing our independence, destroying our institutions, stifling our opinions, and casting around our necks the chains forged beforehand in the workshops of France. We must confess, Mr. Minister, that neither in morality, nor in reason, nor in justice, nor in history, nor in the annals of humanity, do we find a single word which can justify so vast an outrage, but without much effort we find that it rested on our wretchedness and on our weakness, because we have labored enough in demolishing the ancient edifice which social conditions were repugnant to bury beneath its ruins the rights of the citizen in order to build up a new edifice where might eternally dwell the rights of man. There was, therefore, no room for hesitation; the sword is not argument. In this idea, grasping ours in one hand, and bearing aloft in the other the sublime tablet of the rights of man, convinced that an assault upon the nationality of one people is an assault upon that of every people, we gave a beginning to the struggle. Victory smiled on us awhile, notwithstanding that our adversary to his indisputable knowledge in the art of war, knowledge very superior to ours, added deception and perfidy in order to conquer us. At length, at Puebla, we succumbed to the superiority of physical force, and came to this country in the character of prisoners of war of France.

We are in the firm conviction that in proportion as we strip ourselves of our prejudices and of our privileges, reason resumes her place and civilization is aggrandized—not that civilization whose electric shock produces the shock of arms, but that whose torch is kindled in the conscience of the people. We, in consequence, think that wars of ambition and of conquest are no longer possible; those of emancipation and of liberty can alone take place until the time arrive in which there can be no material forces which can contend with moral force. The enlightened and magnanimous American people thinks as we do, and although tormented by a civil war whose end will be the security of the rights and immunities of man, does not, on that account, remain indifferent in a strife which affects its interests.

Even here we have heard its protest, and considering it to be an unavoidable duty which gratitude counsels, that your government should know the sincere and profound sentiments of admiration and respect with which we are inspired by the virtues of the people of the United States of America, our position obliges us to address the present letter to you, begging you to think proper to *become* the interpreter of our fraternal affection.

At the same time we ask you, Mr. Minister, to deign to accept the assurance of the very high consideration with which we are your very humble and obedient servants,

Colonel JESUS GOMEZ, *Portugal.*
Colonel JOSÉ MONTESENOF.
Colonel Lewis LEGONETA.
Commodore JUAN URBINA.
Lieutenant Colonel V. H. RUNERAS.
Commandant PABLO REUTEVIA.
Commandant FRANQUINTOM CORTEZ.

His Excellency Mr. DAYTON,
Envoy Extraordinary and Minister Plenipotentiary of the United States of America near the French government.

PARIS, *June* 7, 1864.

GENTLEMEN: As representatives of the government of the United States at Paris, it is my pleasing duty to acknowledge the receipt of your letter of the 26th of May last, and to thank you for the kind sentiments and encouraging sympathies therein expressed.

It will give me much pleasure to forward your communication to the government at Washington.

Accept, gentlemen, the assurance of highest respect with which I have the honor to be, your very humble and very obedient servant,

WM. L. DAYTON.

Colonel JESUS GOMEZ, *Portugal.*
Colonel JOSÉ MONTESENOF,
Colonel LEWIS LEGONETA,
Commandant JUAN URBINA,
Commandant PABLO REUTEVIA,
Commandant FRANQUINTOM CORTEZ,
Tours, (Indre Loire,) France.

No. 49.

Mr. Dayton to Mr. Seward.

No. 494.] PARIS, *June* 24, 1864.

SIR: I yesterday communicated to Mr. Drouyn de Lhuys a copy of the letter from Mr. Mansfield, our consul at Tabasco, dated 10th of February last, and enclosed to me in your despatch No. 567, and I made this the basis of further complaint to him on the subject of Mr. Mansfield's imprisonment. Mr. Drouyn de Lhuys said he had never been able to obtain any knowledge on the subject from Mexico, or the minister of marine. It would seem as if they there knew nothing, not even the existence of any such person as Mr. Mansfield. I told him that the complaint had been made long since, and it seemed to me if he had received nothing conflicting with the statements of Mr. Mansfield, it was but just and fair they should assume them as true, and act on them accordingly; that they could scarcely suppose, after this ill treatment of our consul, that we would be satisfied by the authorities simply ignoring the whole subject. He said that, with this additional communication now left with him, he would make one more effort for information and give me an answer.

I am, sir, your obedient servant,

WM. L. DAYTON.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c.

No. 50.

Mr. Seward to Mr. Dayton.

No. 593.] DEPARTMENT OF STATE,
Washington, June 27, 1864.

SIR: In your despatch of the 8th of June, No. 484, which has already been acknowledged, you remarked that you thought M. Drouyn de Lhuys was rather disposed to find fault with late proceedings of this government; that he referred again to our refusal of coal to the French fleet and to our giving up "to be hanged," as he said, the secretary of Vidaurri, who had fled to Brownsville for protection, although there now was scarcely a man against France in Mexico. You state that M. Drouyn de Lhuys further remarked, that after their military officers were on the ocean to visit our country with a view to examine what was to be seen there with our assent and assurance of welcome, they were then informed that this line or that could not be examined, and that it would have been agreeable if notice had been sooner given. (The remark to which this is in allusion is omitted in Mr. Dayton's note as printed.) In your despatch No. 483 you intimate an apprehension that the French government may not be unwilling to find us acting so as to enable it to assume that it is put on the defensive, and entitled to vindicate its honor.

The remarks of M. Drouyn de Lhuys, although not intrinsically grave, derive importance from the peculiar position of the relations between France and the United States. The executive government of this country has no such susceptibilities as to make it desire or favor any misunderstanding with the government of France. On the contrary, it is an administration which, by its very constitution, would be pacific and friendly towards France, and towards all nations, even if it did not find especial and urgent pursuasions to that policy in the distractions of our unhappy civil war. Nevertheless, it is not well to overlook the fact that a large mass of the American people, owing to the war of France against Mexico, are not less open to alienating influences in regard to France than the government of France can be in regard to the United States. It will be well, therefore, for you to let M. Drouyn de Lhuys understand that you communicated his complaints to me, and to give him my answer to them, which is as follows:

First. In relation to the supply of coals for the French fleet: the same practice was followed in regard to France in that case which is followed in regard to all other nations. Second. The restrictions on the supply of coals to foreign vessels were adopted for our own safety against a dangerous internal enemy, and for the guarding of our neutrality, as much in regard to Mexico as in regard to France. Third. That the difficulty about the exportation of the coals in question was accommodated to the satisfaction of the French government. Fourth. In regard to the delivery of the secretary of Vidaurri to the authorities of Mexico: the French government has not complained of that transaction, nor has this government been officially called upon to express itself concerning the affair. The proceeding was a military one; it occurred on a distant and disturbed frontier, without any knowledge on the part of the Executive, and, so far as this government has subsequently received any knowledge or information, the offending Mexican who was delivered up to his own government was an open enemy of the United States, and the general who delivered him up had no knowledge or reason to believe that the Mexican authorities would deal with him other than as a prisoner of war. Fifthly. As to the delay of the French officers on their way to the army of the Potomac, after this government had assented to their visit: the assent was given with no reservation, because no occasion for any was *anticipated.* A military exigency of extreme delicacy and importance subse-

quently occurred, and the commanding general of the armies of the United States deemed it important to exclude, for the time, all visitors from the army. Notice was given to the French as well as to the British commission at the first moment when this necessity was announced to this government. The French commission was received here with all the hospitalities of the government, and as soon as the exigency referred to had passed, they were sent forward to the field of observation. You may make these explanations to M. Drouyn de Lhuys. You may say to him that this government cannot admit that in either of the transactions I have thus reviewed, it has been either unjust, discourteous, or unfriendly to the government of France. This government avoids with equal care the putting unfriendly constructions upon the proceedings of the government of France and on other foreign states, and the giving of accidental offence on our own part to all foreign nations.

Pursuing this course, we calmly abide events which must determine whether, in spite of our devotion to peace, the field of war on this continent must be enlarged.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., &c.

No. 51.

Mr. Seward to Mr. Dayton.

No. 598.] DEPARTMENT OF STATE,
Washington, July 2, 1864.

SIR: Your despatch of the 13th of June, No. 489, has been received, together with the papers annexed to the same. I have submitted to the President the correspondence which has taken place between certain Mexican prisoners of war and yourself, and have the pleasure to inform you that while your reply to these gentlemen is approved, the President is deeply affected by the sentiments of respect and affection for the United States which the Mexican officers have so thoughtfully and eloquently expressed in their communication.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., &c.

No. 52.

Mr. Dayton to Mr. Seward.

No. 507.] PARIS, *July* 8, 1864.

A copy of the despatch of Mr. Mansfield to your department, dated 10th of February last, was transmitted by me, according to instructions, to the minister of foreign affairs, as stating more explicitly the character of injury suffered by Mr. Mansfield, and the reparations demanded.

Herewith I transmit to you a translation of M. Drouyn de Lhuys's answer to his and your last communication.

I am, sir, your obedient servant,

WM. L. DAYTON.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c.

M. Drouyn de Lhuys to Mr. Dayton.

[Translation.]

Memorandum.

JULY, 1864.

The minister of foreign affairs of the Emperor has examined the letter of Mr. Mansfield to Mr. Seward which M. the minister of the United States has been pleased to communicate to him. This paper has enabled M. Drouyn de Lhuys to account better than he had been able to do up to the present time, in the absence of all information of the occurrence relative to M. the consul of the United States at Tabasco. It appears from it that Mr. Mansfield, without valid reasons, and simply in consequence of false imputations, has been taken from his consulate, imprisoned, and maltreated; and that, though at the time he was writing he had been permitted to return to his consulate, still he was not permitted to go away from it, nor to resume his official functions, nor to put himself in relations with his fellow-countrymen.

The proceedings of which Mr. Mansfield complains have, without any doubt, a most regretable character, since this agent engages his word that nothing in his conduct, nor in his language, has been of a nature to justify them.

M. Drouyn de Lhuys congratulates himself, however, upon learning that the first information which was given to him by Mr. Dayton is not confirmed; and that it is not at Vera Cruz, as was at first supposed, that the American consul, after having been sent there, had been shut up and condemned to one year's imprisonment. If, indeed, this had been so, it would very probably have been for the French authorities to furnish the explanations which the measures taken, apparently, if not by themselves, at least with their assent, admit of. It appears, on the contrary, from the despatch of Mr. Mansfield, that he has not quitted Tabasco, and that it is solely from the authorities of this city that an account is to be asked for the proceedings of which he has been the object. But these authorities were Mexican; they were not constituted with the concurrence of the French forces, who have not occupied Tabasco, and they do not act with their support. No participation in their acts could then be ascribed to these latter, who, if they have momentarily shown themselves at Tabasco, (of which the government of the Emperor is as yet ignorant,) have never established themselves there, and have never been able to intervene in any manner whatever in the events of this locality. Hence it does not appertain to the government of the Emperor to judge of the facts which have taken place there; much less can it be responsible for acts emanating from an authority, more or less regular, over which it has exercised no control. It can only deplore the acts of violence with which the accused Mexicans are reproached; and it is not to be wondered at, moreover, that at a point where internal struggles still continue, one of these illegalities should occur—one of these violations of international law of which Mexico has so sadly multiplied examples for a number of years past. This is the fruit of the anarchy to which this country has so long been a prey, and a reason for every one to wish the establishment and consolidation of a more moral and a stronger government.

There is reason to think, moreover, that the position of Mr. Mansfield must have changed a short time after the period at which he wrote, for the Mexican chiefs who at that date, that is to say, in the month of February last, occupied Tabasco, were no longer there in the month of May, having evacuated the place. Whatever the case may be, and although the French consul at Vera Cruz has evidently not been able, up to the present time, to transmit the information upon this affair which had been asked of him, the minister of the Emperor, at Mexico, will be written to again concerning it, as he will be requested to proceed as far *as shall lie in his* power to an inquiry into this regretable occurrence.

No. 53.

Mr. Seward to Mr. Dayton.

No. 604.] DEPARTMENT OF STATE,
Washington, July 12, 1864.

SIR: I have to acknowledge the receipt of your despatch of the 24th ultimo, No. 494, relative to the case of Mr. J. H. Mansfield, our consul at Tabasco, and to express my approval of your proceedings therein related. You will urge upon the minister for foreign affairs the importance attached by this government to prompt explanations concerning so serious a matter.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., &c.

No. 54.

Mr. Dayton to Mr. Seward.

No. 515.] PARIS, *July* 18, 1864.

SIR: Herewith I beg to enclose to you the translation of a note received from M. Drouyn de Lhuys in reference to the complaint by Mr. Chase, our consul at Tampico.

This note, like some others that M. Drouyn de Lhuys has written to me, is unsigned, and a mere substitute for an informal verbal communication, but, being in writing, is the more satisfactory as the less liable to be misunderstood.

Our consul in this case may be, and doubtless is, right in his complaint of rudeness on the part of French officials, but it does seem to me he would have shown more judgment if he had accepted the offered withdrawal of the notes complained of (which was an implied apology) rather than made this rudeness the subject of a serious diplomatic correspondence.

I am, sir, your obedient servant,

WM. L. DAYTON.

Hon. WILLIAM H. SEWARD, &c.

M. Drouyn de Lhuys to Mr. Dayton.

[Translation.]

Memorandum—July, 1864.

The minister of foreign affairs of the Emperor has examined the two despatches of the American consul at Tampico, relative to the threats of imprisonment to which he has been subjected—despatches which M. the minister of the United States has been directed to communicate to the government of his Majesty. It is not possible to answer Mr. Dayton definitively upon this subject before receiving the explanations requested of the commandant-in-chief of the French forces in Mexico. The attentive perusal of the second despatch of Mr. Chase cannot fail, however, to suggest to M. Drouyn de Lhuys some reflections, which it seems to him proper to offer at once to M. the minister of the United States. The circumstantial details given in regard to this affair by the American consul in his last report are in effect of a nature to lessen very much its gravity.

According to the declaration of Mr. Chase himself, he had already in his hands the two letters of the superior commandant of Tampico, which now cause his demand for satisfaction, when he went to this officer to represent to him that he could not answer for the good conduct of any one who might enter Tampico.

The commandant excused himself for having written as he had done, in alleging that he had been led into it by the alarming rumors which were at that time in circulation.

A short time afterwards Mr. Chase made a second visit to this same officer, to present, with a view to preventing any disquieting remarks, the captain of an American ship-of-war which had arrived, in the mean time, at Tampico.

The incident seemed then completely void, when the French commandant learnt from the manager of the imperial consulate that Mr. Chase, having re-read his second note, had manifested an extreme dissatisfaction with it. The commandant of Tampico hastened then to send back the French agent to the American consul to offer to withdraw the letters by which he felt himself wounded. Mr. Chase answered to this offer by requiring written apologies, in order to transmit them to his government, and the French officer refused them.

These are the facts, as Mr. Chase himself states them. Now it appears from this recital that the misdoings of the superior commandant of Tampico would consist in having written to the American consul in terms assuredly much to be regretted, but that he hastened, upon learning the impression which they had made upon this consul, to offer him spontaneously the withdrawal of his notes. He no doubt thought that would suffice Mr. Chase, since the two visits of the latter did not allow him to suspect the importance which the incident might take in the eyes of this agent. It is not to be admitted for an instant, as the latter gives it to be understood, that it was the appearance of a federal ship which brought the commandant of Tampico to the more correct proceedings, for he had, before the arrival of this vessel, very courteously received the observations of Mr. Chase, and, to speak the truth, it is rather singular that it was only after the satisfactory explanations exchanged and after a second visit to the French officer, in order to present to him the federal captain, that Mr. Chase thought it useful to re-read more attentively, or to cause to be more faithfully translated, a note of six lines which had been the cause of all his previous proceedings.

So, by the very terms of the despatches of the consul of the United States, if there were for a moment a fault in the proceedings on the part of the superior commandant of Tampico, this officer seems to have wished, by his after conduct, to have effaced its impressions upon Mr. Chase.

No. 55.

Mr. Seward to Mr. Dayton.

No. 616.] DEPARTMENT OF STATE,
Washington, July 28, 1864

SIR: Your despatch of the 8th of July, No. 597, which is accompanied by a memorandum from M. Drouyn de Lhuys, concerning the case of James H. Mansfield, United States consul at Tabasco, has been received.

The spirit of that paper is highly honorable to the Emperor's government. I suspend a consideration of the explanations until the further examination which the minister for foreign affairs has promised shall result in some certainty, *as to* the question whether the wrongs committed against Mr. Mansfield were

exclusively the acts of Mexicans, or were directed or participated in by the French military authorities intervening in Mexico. If the former supposition shall prove correct, it will be a plain duty to desist from further representation in the matter to the French government, and to acknowledge the frankness with which M. Drouyn de Lhuys has conducted his inquiries in the case.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., &c.

No. 56.

Mr. Seward to Mr. Dayton.

[Extract.]

No. 618.] DEPARTMENT OF STATE,
Washington, July 28, 1864.

SIR: I have the honor to acknowledge the receipt of your despatch of the 15th of July, No. 513, together with the copy of a confidential memorandum from M. Drouyn de Lhuys, on the subject of the imprisonment of Mr. Mansfield, United States consul at Tabasco. It gives me very sincere pleasure to acknowledge the delicacy and good feeling which M. Drouyn de Lhuys has shown in making me acquainted with a view of Mr. Mansfield's conduct entirely at variance with the reports from him upon which my representations to the imperial government in his case were based. * * * * *

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., &c.

No. 57.

Mr. Seward to Mr. Dayton.

No. 628.] DEPARTMENT OF STATE,
Washington, August 8, 1864.

SIR: I have received your despatch of the 18th of July, No. 515, which gives me your views of the complaint of Mr. Chase, United States consul at Tampico, concerning certain notes addressed to him by a French officer on the entrance of a French military force at that place. Your despatch is accompanied by a memorandum concerning the case which M. Drouyn de Lhuys has committed to you for the information of this government.

This memorandum is written in a candid and liberal spirit, and induces an expectation that, when the minister for foreign affairs shall have received the explanations which he has asked from the military authorities, he will relieve the case of all its gravity, by showing us that the French officer addressed his offensive notes to the consul without proper consideration of the respect due to that officer as an agent of the United States, and that the rudeness of the note is disapproved by his Imperial Majesty's government. I freely admit that I concur with you in the opinion that Mr. Chase might, with entire propriety, have consented to the proposed withdrawal of the note of which he complains; and

I regret that he did not do so. You are quite at liberty to communicate this opinion of mine to M. Drouyn de Lhuys. This government attaches only as much importance to ceremonial questions as the prevailing state of public sentiment on this class of national issues requires. It has no desire to lift them to the dignity of diplomatic debate.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., &c.

No. 58.

Mr. Seward to Mr. Dayton.

No. 635.] DEPARTMENT OF STATE,
Washington, August 18, 1864.

SIR: I enclose for your information a copy of a letter which I have received from his excellency Frederick F. Low, governor of California, relative to the rumor there that Mr. William M. Gwin is to be minister of finance under the new government of Mexico, and also concerning the supposed policy of the Emperor of France in regard to indemnity for the expenses of the war.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., &c.

Governor Low to Mr. Seward.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, July 18, 1864.

SIR: I beg to acknowledge the receipt of your letter of 20th June, enclosing copy of an extract from a letter received by you from Paris, giving information concerning the movements of Mr. William M. Gwin.

There is a rumor here that Gwin is to be minister of finance under the new government of Mexico, but I cannot vouch for the correctness of the report. My impressions are that the Emperor of France will require indemnity for the expenses of the war, and in the absence of any revenue which could be applied to that purpose, he will demand and receive from Maximilian certain territory which will comprise the States of Sonora and Sinaloa, probably in lieu of a money consideration.

Gwin has probably been sent as an emissary to shape the public mind for such a state of things. In any event, the ports in the Gulf of California will most likely be a sort of rendezvous for plotters of treason, bearing a similar relation to the Pacific coast that Nassau does to the Atlantic.

The Mexican question is one that is of especial importance to the people of this State, and for any information concerning it, which you may think proper to communicate to me, I would feel especially obliged.

I have the honor to be your obedient servant,

FREDERICK F. LOW.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

No. 59.

Mr. Dayton to Mr. Seward.

No. 535.] PARIS, *September* 9, 1864.

SIR: As the most satisfactory mode of apprising the foreign department here of your action in the case of Mr. Mansfield, our consul at Tabasco, I read your despatch No. 618 to Mr. Drouyn de Lhuys. He seemed much gratified with the kind and courteous manner in which you expressed yourself in relation to his communication of the information he had received in relation to the character and habits of our consul at that post.

I am, sir, your obedient servant,

WILLIAM L. DAYTON.

Hon. WILLIAM H. SEWARD, *&c.*

No. 60.

Mr. Seward to Mr. Dayton.

No. 648.] DEPARTMENT OF STATE,
Washington, September 15, 1864.

SIR: I give you for your information a copy of a despatch which has just been received from William H. Corwin, esq., our chargé d'affaires in Mexico. Later accounts than this despatch do not enable us to judge concerning the probable results of the military movements now going on in that republic. You will, of course, observe what Mr. Corwin relates of Dr. Gwin's purposes in Sonora. It is not to be doubted that they are unfriendly to the United States. But I think I hazard little in saying that they forebode even more of inconvenience to whatever government may exist in Mexico than of ultimate harm to our own country.

It is hardly to be apprehended that the insurgents will come out of the present civil war with any great capacity for establishing slavery in Mexico. It may, however, be well for you to ascertain how far such schemes of his find support in the councils of the Emperor of France.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., *&c.*

No. 61.

Mr. Seward to Mr. Dayton.

[Same to Mr. Adams.]

No. 656.] DEPARTMENT OF STATE,
Washington, September 20, 1864.

SIR: I append, for such use as you may deem expedient, a copy of a letter of yesterday, addressed to this department by the Secretary of War, containing a despatch which has just been received from Major General Canby, who is commanding in the field west of the Mississippi.

The proceeding of Major General Canby has been approved. The despatch contains the official information this government has of the extraordinary events which have recently occurred on the Rio Grande.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, &c.

Mr. Stanton to Mr. Seward.

WAR DEPARTMENT,
Washington, September 19, 1864.

SIR: I enclose to you the following extract from a despatch from Major General Canby, received last night, dated at New Orleans, 3 o'clock p. m., September 12:

"Cortinas has crossed the Rio Grande to escape the French forces operating from Bagdad, and has been notified by the commanding officer at Brazos Santiago that, on surrendering his army and ammunition, his party would be received as refugees; and that his presence in the territory of the United States, as an armed enemy of a neutral power, would not be tolerated."

Your obedient servant,

EDWIN M. STANTON,
Secretary of War.

Hon. WILLIAM H. SEWARD,
Secretary of State.

No. 62.

Mr. Seward to Mr. Dayton.

No. 669.] DEPARTMENT OF STATE,
Washington, October 3, 1864.

SIR: I transmit for your information a copy of a private note of the 23d ultimo from M. de Geofroy of my reply of the 30th ultimo, and of a letter addressed by me to Major General Canby on the 30th ultimo, in regard to the alleged entrance of the Mexican General Cortinas, with an armed force, into the territory of the United States, with an assumption of military authority.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., &c.

Mr. Seward to Major General Canby.

DEPARTMENT OF STATE,
Washington, September 30, 1864.

SIR: Unofficial newspaper statements concerning the alleged entrance of the Mexican General Cortinas, with an armed force, into the territory of Texas, within the United States, with an assumption of military authority, have attracted the attention of this department, as well as that of the minister of France at this capital. The reports are contradictory and apparently unreliable. The dignity of this government and its honor, as a neutral power in the conflict which

is raging in Mexico, render it necessary that the President should be fully informed as early as possible of the proceedings to which I have thus referred. I have therefore to request that you will ascertain the facts and make a report thereon to the Secretary of War. In the mean time I have the pleasure to inform you that the proceeding is approved, by which, on the occasion referred to, you gave notice to the said Cortinas that his presence in arms within the United States, in an attitude of war against a friendly power, with which the United States are at peace, would not be tolerated. Although that proceeding indicates that you have faithfully adhered to the instructions given to your predecessors, yet I think it proper to renew the injunction that on no account, and in no way, must the neutrality of the United States in the war between France and Mexico be compromised by our military forces, or be suffered to be compromitted within your command by either of the belligerents.

I have the honor to be, general, your obedient servant,

WILLIAM H. SEWARD.

Major General E. R. S. CANBY,
Commanding Department of the Gulf, Headquarters, New Orleans.

No. 63.

Mr. Dayton to Mr. Seward.

No. 545.] PARIS, *October* 7, 1864.

SIR: The copy of a despatch from General Canby in reference to Cortinas crossing the Rio Grande with his forces into Texas, which you sent to me in your No. 656, to be used subject to my discretion, I read to M. Drouyn de Lhuys. The facts had got into the newspapers with various comments, and as I well knew the attention of this government must have been called to the subject, I thought it safest at once to inform them of the prudent action of the government of the United States in the premises. M. Drouyn de Lhuys said this action of our government was a matter of interest, and begged me to let him take a copy of the extract, which I did. He remarked that it was important to him to have the means of explaining the facts at once, if the subject should be referred to by his Majesty.

I am, sir, your obedient servant,

WM. L. DAYTON.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c.

No. 64.

Mr. Seward to Mr. Dayton.

No 677.] DEPARTMENT OF STATE,
Washington, October 10, 1864.

SIR: I transmit a copy of a report of Major General Canby, and of the accompanying papers, relative to certain proceedings near Brownsville, in Texas, in connexion with the United States, Texan, and French forces in that quarter. The condition of affairs there does not seem to have been changed, but these papers will serve to explain it. To that end you may communicate them to M. Drouyn de Lhuys.

I am, sir, your obedient servant,

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Hon. WILLIAM H. SEWARD,
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I am, sir, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., *&c.*

Mr. Townsend to Mr. Seward.

WAR DEPARTMENT, ADJUTANT GENERAL'S OFFICE,
Washington, October 4, 1864.

SIR: I am directed by the Secretary of War to transmit to you the enclosed documents in relation to the arrival in Texas of a Mexican force under Cortinas, with the request that after you have perused the same, they may be returned to this office for file.

I have the honor to be, sir, very respectfully, your obedient servant,

E. D. TOWNSEND,
Assistant Adjutant General.

Hon. WILLIAM H. SEWARD,
Secretary of State.

General Canby to General Banks.

HEADQUARTERS MILITARY DIVISION OF WEST MISSISSIPPI,
New Orleans, La., September 15, 1864.

GENERAL: The correspondence of Colonel Day, in relation to the Mexican force under Cortinas, has been received. Colonel Day's action, so far as is known here, accords with our neutral obligations, and is approved. The Mexican refugees are entitled to an asylum in our territory, when they deliver up their arms and munitions, and restore any prisoners or booty that they may have taken from the French; they will not be received into the service of the United States for service on the Rio Grande frontier, but may be enlisted for the general service. In this case they will be sent to the city, either before or after enlistment, to be organized, armed, and equipped. Their enlistment may be for one, two, and three years, but preferably for the shorter term, and their duty thereafter will be determined by the circumstances of the service.

As an armed enemy of France, this force will not be tolerated in our territory; and if this be the intention of Cortinas, the commanding officer will be instructed to regard, and, as far as his power extends, to treat this force as enemies of the United States.

You will please instruct Colonel Day, or the commander at Brazos Santiago, accordingly, and, in the contingency of any of Cortinas's force entering our service, give the necessary instructions in relation to enlistment, transfer to this city, and the disposition to be made of private property. The public property of the Mexican government remains, of course, in the custody of the United States, until disposed of by proper authority.

Very respectfully, sir, your obedient servant,

EDWARD R. S. CANBY,
Major General, Commanding.

Major General N. P. BANKS,
Commanding Department of the Gulf.

Official:

C. T. CHRISTENSEN,
Lieutenant Colonel, Assistant Adjutant General.

Colonel Day to Major Drake.

HEADQUARTERS UNITED STATES FORCES,
Brazos Santiago, Texas, September 8, 1864.

MAJOR: I have the honor to transmit herewith a copy of a letter received by me from the commander of the French forces at Bagdad, also my reply to the same, in order that they may be considered at the same time with my report concerning the matter alluded to in each.

I am, very respectfully, your obedient servant,

H. M. DAY,
Colonel, Comd'g U. S. Forces, Brazos Santiago, Texas.

Major GEO. B. DRAKE,
Assistant Adjutant General, Department of the Gulf.

Official:

GEO. B. DRAKE, *A. A. G.*

[Indorsement No. 1.]

HEADQUARTERS DEPARTMENT OF THE GULF,
New Orleans, September 15, 1864.

Respectfully forwarded to Adjutant General of the army, through headquarters military division of west Mississippi, for information.

N. P. BANKS,
Major General, Commanding.

[Indorsement No. 2.]

HEADQUARTERS MILITARY DIVISION, WEST MISSISSIPPI,
New Orleans, September 16, 1864,

Respectfully forwarded to the Adjutant General, with copy of my letter to Major General Banks, in reference to this matter.

EDWARD R. S. CANBY,
Major General, Commanding.

General Veron to Colonel Day.

COMMANDER-IN-CHIEF FRENCH FORCES,
Bagdad, Mexico, September 7, 1864.

COLONEL: Yesterday, the 6th of September, the hostile forces of General Cortinas displayed themselves before our lines and made a feint to attack the place which we hold. General Cortinas, who knows the march of our several columns made against him, managed to move without our knowledge, and with your powerful aid succeeded in passing his troops to your side of the river with arms and baggage.

The first squadron of cavalry afforded you immediate aid to fight the confederates.

This morning, the passing of all these forces being effected, you gave them provisions, all that they wanted. According to the facts, and according to the law of nations, which none can distrust, I am bound to consider the forces of General Cortinas as troops belonging to the United States government, which government now holds the responsibility for their future conduct. In any enterprise I might undertake I must be certain not to encounter them on my road, either now or later.

If perchance, colonel, you have some objections to propose to the view I have of the matter, be so good, colonel, as to make them known as soon as possible. With this intention I send you Captain Visconti, my aide-de-camp. The United States and France have been too long friendly *allies* for any uneasy or hostile feeling to be produced between them.

Please to accept, colonel, the assurance of my most distinguished consideration.

A. VERON,
Commanding French Forces, Bagdad, Mexico.

Official:

GEO. B. DRAKE, *A. A. G.*

BAGDAD, MEXICO, *September* 7, 1864.

Colonel Day to General Veron.

HEADQUARTERS UNITED STATES FORCES,
Brazos Santiago, Texas, September 8, 1864.

SIR: I have the honor to acknowledge the receipt of your communication, dated September 7, 1864, from the hands of Captain Visconti. In reply, I would respectfully state that you are laboring under an error with regard to the forces of General Cortinas receiving provisions from me on the morning of the 6th of September. Understanding that the enemy had a large drove of cattle at our front, I sent a small force of mounted men with instructions to capture and drive them into camp, if possible, for the sustenance of my command. I would further state that I have not as yet been officially informed that General Cortinas is within my lines, and that I will at once send an officer with a sufficient escort to him, and if he is within my lines I will demand that he shall surrender all arms and munitions of war to the United States.

I take this occasion to assure the commander of the French forces at Bagdad that I shall not for a moment countenance the occupation of United States soil by any armed force except our own, and especially by a force hostile to the French government, which has so long been on friendly terms with the United States. Desiring that this harmony may long continue to exist,

I have the honor to subscribe myself your most obedient servant,

H. M. DAY,
Colonel, Comd'g U. S. Forces, Brazos Santiago, Texas.

COMMANDER OF THE FRENCH FORCES,
Bagdad, Mexico.

Official:

GEORGE B. DRAKE, *A. A. G.*

Colonel Day to Major Drake.

HEADQUARTERS UNITED STATES FORCES,
Brazos Santiago, Texas, September 8, 1864.

MAJOR: I have the honor to report that an armed body of Mexican troops have landed on the American shore of the Rio Grande river, about fifteen miles from these headquarters.

These troops are commanded by General Cortinas, governor of Tamaulipas, whom I have seen in person, and from him learn that it is his desire to receive protection from the United States authorities.

An order has been sent to him demanding an immediate surrender of his ordnance and ordnance stores to my command, after which I shall give him the protection that he desires. A copy of the order is herewith transmitted for your information.

This letter will be delivered by Major George A. Day, provost marshal of the district, who will give you any information you may desire, as he is in full possession of the facts in this case.

I respectfully request that instructions be furnished me for this class of refugees.

Very respectfully, your obedient servant,

H. M. DAY,
Colonel, Commanding Forces.

Major GEORGE B. DRAKE,
Assistant Adjutant General, Department of the Gulf.

Official:

GEORGE B. DRAKE, *A. A. G.*

Colonel Day to General Cortinas.

HEADQUARTERS UNITED STATES FORCES,
Brazos Santiago, Texas, September 8, 1864.

GENERAL: It has come to my knowledge that you have landed on the territory of the United States with an armed force. I have no doubt but that you have done so on account of the concentration of the forces of the enemies of the Mexican republic on Matamoras.

If that is the case, you are welcome, also your people that are with you; your arms, ammunition, and warlike stores must at once be surrendered to the United States forces.

When you have complied with the above requirements you can rely on being protected by the United States government. Any proposition you may desire to make will be cheerfully forwarded by me to my commanding officer at New Orleans.

Very respectfully, your obedient servant,

H. M. DAY,
Colonel, Comd'g U. S. Forces, Brazos Santiago.

General CORTINAS,
Commanding Mexican Forces.

Official:

GEORGE B. DRAKE, *A. A. G.*

Colonel Day to Major Drake.

HEADQUARTERS UNITED STATES FORCES,
Brazos Santiago, Texas, September 8, 1864.

MAJOR: I have the honor to transmit herewith the following report of a slight engagement which took place at "Palmetto rancho," on the Rio Grande river, about sixteen miles from these headquarters. Learning from my scouts that the rebels had collected a large number of cattle which they intended to sell to the French troops at Bagdad, and that said cattle were in a bend in the river just above the "White rancho," I determined, after mature deliberation, to try

and capture them, and at the same time drive back the rebels from their position, as they had been annoying us in various ways very much during the past few days. Accordingly, on the morning of the 6th I ordered a squadron of the 1st Texas cavalry and one piece of artillery (12-pounder howitzer) to proceed up the country and accomplish the object above named. Major E. J. Noyes commanded the expedition; Captain P. J. Temple the cavalry; Lieutenant A. Hills, 1st Missouri artillery, the artillery.

After crossing the Boca Chica Pass, skirmishers were thrown out to the right and left, and as they advanced the rebels slowly retired, until, reaching the "Palmetto rancho," a stand was made and brisk firing ensued. The main body arrived soon after, and a fair prospect of a heavy engagement was apparent, as the rebels were having re-enforcements from above, but our artillery opened a very effective fire with shell, which had the effect to disperse the enemy, and the last seen of him he was flying in confusion in the direction of Brownsville.

Word being sent me by the major commanding of his position, I advanced three miles with a detachment of the 91st Illinois infantry volunteers to re-enforce him in case of necessity; it was not needed, however, and the whole force returned to camp on the morning of the 7th.

The expedition was successful in its results, for a lot of cattle were captured and brought in, and the rebels forced to leave this section of the country.

Hoping this report will prove satisfactory, I remain, very respectfully, your obedient servant,

H. M. DAY, *Colonel, Commanding Forces.*

Major GEO. B. DRAKE,
Assistant Adjutant General, Department of the Gulf.

Official:

GEO. B. DRAKE, *A. A. G.*

Colonel Day to Major Drake.

HEADQUARTERS UNITED STATES FORCES,
Brazos, Santiago, Texas, September 14, 1864.

MAJOR: I have the honor to submit the following report of the action taken by me relative to the fact that an armed body of Mexican troops had crossed the Rio Grande, above our lines, of which I advised you in a recent report.

In the evening of the 8th of September I ordered Major E. J. Noyes, commanding detachment first Texas cavalry, to move with his command up the Rio Grande, the point where the troops had crossed the river, and instructed him to demand of them the surrender of all arms and warlike stores, and to offer them the protection of the United States as refugees; I also instructed him that if he found it necessary, in order to defend himself against the rebels, to allow the refugees to temporarily resume their arms. Major Noyes proceeded agreeably to the above instructions, and the Mexicans willingly surrendered upon the demand being made. They were not commanded by Governor Cortinas, as I was at first informed, and hence reported to you, but Colonel Miguel Echazarretta, Cortinas not having moved his headquarters to this side of the river. Shortly after the surrender had been effected, our forces were attacked by the rebels with nearly double their number, and, according to my instructions, the refugees were allowed to resume their arms and fought bravely with our men. After a short engagement, in which one piece of Mexican artillery was used, the rebels were repulsed with great loss. They rallied and again attacked, and were again repulsed; so a third time; after which Major Noyes, being short of ammunition, *fell back two* miles and took a stronger position. Fearing that the rebels would

receive re-enforcements from Brownsville, and would succeed in getting possession of the artillery which the refugees had surrendered to us, I advanced on the 11th, with two hundred of the 91st Illinois and two pieces of artillery, as far as White's rancho, and ordered Major Noyes to fall back with his command to that place. The rebels followed with a force of about six hundred, but I soon routed them with my artillery. On the morning of the 12th I returned to camp, bringing with me all refugees who had crossed the river, their arms and warlike stores. Affixed to this report is a statement (which I respectfully submit as a part of the same) with regard to the number of refugees and the number and character of their arms. No casualties attended us in any of the above encounters except one United States soldier captured and several refugees. We took no prisoners, but the killed and wounded of the enemy must have been great. The refugees have been very quiet and orderly since their arrival in camp, and I understand that many of them evince a desire to enlist in the United States army.

Hoping that this will meet with your approval, I am, very respectfully, your obedient servant,

H. M. DAY,
Colonel. Commanding U. S. Forces, Brazos Santiago.

Major GEO. B. DRAKE,
Assistant Adjutant General, Department of the Gulf.

Statement of the number of Mexican refugees at Brazos Santiago, Texas; the number and character of their arms, amount of artillery, number of horses, &c.

Number of officers	13
Number of men	290
Muskets, calibre .69	27
Enfield rifles, calibre .58	195
Whitney muskets, calibre .58	24
Cavalry horses, with equipments	22
Mules	10
Six-pound rifled brass guns	3
Rounds of cartridges, different calibre	1,200
Rounds of assorted ammunition	76

BRAZOS SANTIAGO, TEXAS, *September* 14, 1864.

I certify that the above statement is correct.

H. M. DAY,
Colonel. Commanding U. S. Forces.

Official:

GEORGE B. DRAKE, *A. A. G.*

HEADQUARTERS MILITARY DIVISION WEST MISSISSIPPI,
New Orleans, September 14, 1864.

Respectfully forwarded to the Adjutant General of the army.
The action of Colonel Day is approved.

ED. R. S. CANBY,
Major General, Commanding.

No. 65.

Mr. Dayton to Mr. Seward.

No. 550.] PARIS, *October* 19, 1864.

SIR: I send you the enclosed slips, (one cut from a French paper of yesterday, and the other cut from Galignani of this morning,) the first of which announces the sailing of a first detachment of six hundred men of the Belgian legion destined to Mexico, and the other the contemplated conveyance to Vera Cruz of four thousand two hundred volunteers enlisted in Austria. The enlistments in Europe for service in Mexico, it would seem from this and other notices I have observed, are quite prompt.

I am, sir, your obedient servant,

WILLIAM L. DAYTON.

Hon. WILLIAM H. SEWARD, *&c.*

[Extract.—Translation.]

In a despatch from St. Nazaire we noticed that the Louisiana, of the general transatlantic company, went to sea yesterday at three o'clock. She took the first detachment of six hundred men of the Belgian legion enrolled for Mexico, one hundred and seventy-eight civilian passengers, and a full cargo of merchandise and material exported for carrying on of the war.

[Extract from Galignani.]

General Count de Thun has arrived in Paris, charged by the Mexican government to come to an arrangement with the Transatlantic Steam Navigation Company for the conveyance to Vera Cruz of four thousand two hundred volunteers, enlisted in Austria.

No. 66.

Mr. Seward to Mr. Dayton.

No. 685.] DEPARTMENT OF STATE,
Washington, October 20, 1864.

SIR: I have to acknowledge the receipt of your despatch of the 7th instant, in reference to Cortinas crossing the Rio Grande with his forces into Texas, and, in reply, to inform you that your action in laying before M. Drouyn de Lhuys an explanation of the attitude of the government of the United States in this matter meets my approval. No further information on the subject than that contained in my instruction No. 677, of the 10th instant, has yet been received.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., *&c.*

No. 67.

Mr. Dayton to Mr. Seward.

No. 552.] PARIS, *October* 21, 1864.

SIR: I yesterday transferred to M. Drouyn de Lhuys the answer of Mr. Bigelow, our consul at Paris, to the comments which his excellency had some *time since* addressed to me on the part of Mr. Bigelow, dated 6th of June last,

on the movements of commerce between France and the United States. I do not append to this despatch a copy of this last communication of Mr. Bigelow, for the reason that you have, without doubt, received a copy of it from the consulate.

M. Drouyn de Lhuys, on receiving it, said he would examine it with great care. This is all I could expect of him, as there is nothing practical expected to grow out of this correspondence.

M. Drouyn de Lhuys took occasion, in the course of the interview of yesterday, to say he had received from Washington very satisfactory explanations in reference to the action of our government in regard to the Mexican troops under Cortinas which recently crossed the Rio Grande into Texas. That these explanations were confirmatory, as he said, of what I have already told him.

I am, sir, your obedient servant,

WILLIAM L. DAYTON.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c.

No. 68.

Mr. Seward to Mr. Dayton.

No. 693.] DEPARTMENT OF STATE,
Washington, October 31, 1864.

SIR: I enclose herewith a copy of a despatch of the 5th of October, and of its accompanying protest, from Lewis S. Ely, esq., our consul at Acapulco, relative to the seizure of the United States mail bag at that place, by order of the commandant of the French forces there, who, it appears, instructed the vice-consul of France to break the seal and take possession of the contents of said bag, which was done while in transit from the American steamer Golden City to the office of Mr. Ely. You will at once make known the facts of the case to the French government, and ask that an explanation may be given of this unusual proceeding.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., *&c.*

Mr. Ely to Mr. Seward.

CONSULATE UNITED STATES OF AMERICA,
Acapulco, October 5, 1864.

SIR: I have the honor to inform you that on the 30th day of September, A. D. 1864, the commandant of the French forces in Acapulco ordered the vice-consul of the French to seize the United States mail bag, and to break the seal and take charge of the contents.

The bag was taken while in transit from American steamer Golden City to my office. Had the commandant required the mail matter, after I had opened the bag and found a public mail therein, I should have given it to him without protest, notwithstanding I am acting under an arrangement between the French consul and our consul at Panama, which was that I should open all mails coming into Acapulco and distribute and forward to address, which arrangement has not been disturbed until this sudden seizure of our mail bag and the seal violated. Hence I deemed it my duty to protest against the proceedings.

No plea of contraband matter or anything improper passing through the mails was set up, but an assumed arbitrary power was exercised in demolishing the sacredness of a government seal for civil purposes.

I have the honor to be, sir, your obedient servant,

LEWIS S. ELY,
United States Consul.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

Mr. Ely to the French Commandant.

CONSULATE UNITED STATES OF AMERICA,
Acapulco, October 1, 1864.

SIR: I am informed, officially, that it was by your order that the United States mail, addressed under seal to the United States consul at Acapulco, was seized on the 30th day of September, A. D. 1864, the *seal broken*, and the contents removed beyond my reach.

As the land and naval forces of his Majesty the Emperor of the French here have no post roads or post routes, and as they perform no established postal service, and as the seizure of the United States mail was not done under cover of military surveillance, but by a civil officer of the French government, acting under your orders, and, more especially, as this mail service is performed by the United States of America, and the mails being forwarded to their legally constituted agent here, it becomes my duty to PROTEST, in the name of my government, and in this solemn manner, against the seizure, and against all and every person or persons whom it doth or may concern.

[L. S.] Given under my hand and the seal of this consulate the day and year above written.

LEWIS S. ELY,
United States Consul.

The COMMANDANT *of the Land Forces of his Majesty the Emperor of the French in Acapulco.*

No. 69.

Mr. Dayton to Mr. Seward.

No. 557.] PARIS, *November* 4, 1864.

SIR: I visited M. Drouyn de Lhuys on yesterday for the purpose of communicating to him more in detail the orders and proceedings of our government in reference to Cortinas and his force which crossed the Rio Grande into Texas. The papers which you forwarded to me on this subject were shown to him. They contained, in substance, little that I had not already said to him, and with which, when I communicated it to him heretofore, he seemed entirely satisfied. If, on reflection, he is disposed to complain, I suppose I will hear from him in writing.

I am, sir, your obedient servant,

WM. L. DAYTON.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c.

No. 70.

Mr. Hunter to Mr. Dayton.

No. 695.] DEPARTMENT OF STATE,
Washington, November 7, 1864.

SIR: I have to acknowledge the receipt of your despatch of the 21st ultimo, No. 552, relative to the answer of Mr. Bigelow, consul at Paris, to the comments of his excellency upon a previous report of Mr. Bigelow on the movements of commerce between France and the United States, and to the satisfaction expressed by M. Drouyn de Lhuys with the action of the government of the United States in regard to the Mexican troops under Cortinas which recently crossed the Rio Grande into Texas, and, in reply, to express my approval thereof.

I am, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

WILLIAM L. DAYTON, Esq., *&c.*

No. 71.

Mr. Dayton to Mr. Seward.

No. 565.] PARIS, *November* 18, 1864.

SIR: Your despatch No. 693 enclosed to me the copy of a despatch of 5th October last, and its accompanying protest from Lewis S. Ely, our consul at Acapulco, relative to the seizure of the United States mail bag at that place by order of the commandant of the French forces there.

I have immediately called the attention of Mr. Drouyn de Lhuys to this subject, and asked the necessary explanations. He has received from me copies of the above papers, and says that he will at once take measures to ascertain the facts, or their view of them, and make the necessary answer to our demand for explanation.

I am, sir, your obedient servant,

WM. L. DAYTON.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c.

No. 72.

Mr. Seward to Mr. Dayton.

No. 704.] DEPARTMENT OF STATE,
Washington, November 18, 1864.

SIR: I give you, for your information, a copy of a correspondence which has just taken place between Mr. Geofroy and this department.*

You will perceive that in this correspondence I decline to discuss the question, whether the President of Mexico, in his present reduced situation, has, by the law of nations, a right to issue letters of marque. I think the occasion a suitable one for bringing to the consideration of the imperial government the fact that it has now for three years and a half, against the constant protest of the United States, recognized as a naval belligerent an insurrection in the United

* See correspondence with the French legation.

States that has not only never had a recognized political existence, but also has never had a port in our country. It would simplify affairs very much, and contribute to the security of French as well as of American commerce, if the government of France should apply to our civil strife the principle it assumes in regard to Mexico, namely: that a military force which is destitute of ports or ships-of-war cannot rightly be deemed a naval belligerent.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., &c.

No. 73.

Mr. Seward to Mr. Dayton.

No. 705.] DEPARTMENT OF STATE,
Washington, November 18, 1864.

SIR: Your despatch of the 4th instant, No. 557, relative to the result of an interview with M. Drouyn de Lhuys, in which you communicated in detail the order and proceedings of this government in reference to Cortinas and his forces which crossed the Rio Grande into Texas, has been received and is approved.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., &c.

No. 74.

Mr. Seward to Mr. Dayton.

No. 707.] DEPARTMENT OF STATE,
Washington, November 18, 1864.

SIR: I have to acknowledge the receipt of your despatch of the 4th instant, No. 556, and, in reply, to approve your course relative to the vessels which have been built at Bordeaux and Nantes, and your proceedings in your interview with Commodore Craven, of the United States ship Niagara.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., &c.

No. 75.

Mr. Seward to Mr. Dayton.

No. 717.] DEPARTMENT OF STATE,
Washington, December 4, 1864.

SIR: Your despatch of the 18th of November, No. 565, informing me that you had received assurances from Mr. Drouyn de Lhuys that the application of this government for explanation of the seizure of the United States mail-bags at Acapulco, by order of the commandant of the French forces at that place, would receive due consideration, has been received. Your proceedings in regard to the matter are approved.

I am, sir, your obedient servant,

WILLIAM. H. SEWARD.

WILLIAM L. DAYTON, Esq., &c.

No. 76.

Mr. Dayton to Mr. Seward.

No. 442] PARIS, *March* 25, 1864.

SIR: Mr. Drouyn de Lhuys informed me yesterday that the negotiation for a loan in behalf of Maximilian, as emperor of Mexico, had been completed on favorable terms, and that he would sail for Mexico on Sunday next.

I regret to learn by the communication you enclosed to me that the power of Mexico is still further enfeebled by faction and division among themselves. There is nothing in the present condition of things there to justify a hope that the republicans of that country can successfully meet the French invading force, aided by factionists at home, and any action at present in that direction by the United States would be sure to embroil us with France. We cannot, under existing circumstances, afford a war with France, for the Quixotic purpose of helping Mexico. "Sufficient unto the day is the evil thereof."

I am, sir, your obedient servant,

WILLIAM L. DAYTON.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c.

No. 77.

Mr. Seward to Mr. Dayton.

No. 525.] DEPARTMENT OF STATE,
Washington, April 7, 1864.

SIR: I have received your despatch of March 25, No. 442, which informs me of the completion of the loan to the Grand Duke Maximilian, and of his anticipated embarcation for Mexico. In order that you may understand the condition of affairs in that country as fully as they are understood here, I have given you a copy of a communication which has lately been received from our consul at Matamoras.

I give you also, for your information, a copy of a note which has been received from Mr. Geofroy on the subject of the protection which was extended to the consul at that place by Major General Herron, and of my answer to that paper. This correspondence embraces some other incidental subjects. It is proper to say that Mr. Geofroy proposes to communicate to me a statement of another distinct subject of complaint, in regard to proceedings on the frontier, under instructions from Mr. Drouyn de Lhuys, and that I have engaged to bestow due consideration upon it.

I send you a copy of a resolution which passed the House of Representatives on the 4th instant, by a unanimous vote, and which declares the opposition of that body to a recognition of a monarchy in Mexico. Mr. Geofroy has lost no time in asking for an explanation of this proceeding.

It is hardly necessary, after what I have heretofore written with perfect candor for the information of France, to say that this resolution truly interprets the unanimous sentiment of the people of the United States in regard to Mexico. It is, however, another and distinct question, whether the United States would think it necessary or proper to express themselves in the form adopted by the House of Representatives at this time. This is a practical and purely executive question, and the decision of it constitutionally belongs, not to the House of Representatives, nor even to Congress, but to the President of the United States. You will, of course, take notice that the declaration made by the House of Representatives is in the form of a joint resolution, which, before it can acquire the character of a legislative act, must receive first the concurrence of the

Senate, and, secondly, the approval of the President of the United States; or, in case of his dissent, the renewed assent of both houses of Congress, to be expressed by a majority of two-thirds of each body. While the President receives the declaration of the House of Representatives with the profound respect to which it is entitled, as an expression of its sentiments upon a grave and important subject, he directs that you inform the government of France that he does not at present contemplate any departure from the policy which this government has hitherto pursued in regard to the war which exists between France and Mexico. It is hardly necessary to say that the proceeding of the House of Representatives was adopted upon suggestions arising within itself, and not upon any communication of the Executive department, and that the French government would be seasonably apprised of any change of policy upon this subject which the President might at any future time think it proper to adopt.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., &c.

[Accompaniments.]

Mr. Geofroy to Mr. Seward, April 3, 1864.
Mr. Seward to Mr. Geofroy, April 6, 1864.
Resolutions of House of Representatives, April 4, 1864.

No. 78.

Mr. Seward to Mr. Dayton.

No. 728.] DEPARTMENT OF STATE,
Washington, December 20, 1864.

SIR: I enclose a copy of a resolution which yesterday passed the House of Representatives by an almost unanimous vote, and may be supposed to have been occasioned by the instruction of this department to you, No. 525, of the 7th of April last.

This morning I was visited by Mr. Geofroy, who inquired as to the purport of the proceeding. I answered that the views of the administration in regard to Mexico are expressed in the President's message to Congress at the opening of the present session.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., &c.

No. 79.

Mr. Seward to Mr. Bigelow.

No. 1.] DEPARTMENT OF STATE,
Washington, December 21, 1864.

SIR: I enclose for your information a copy of a despatch of the 12th ultimo, No. 208, from Charles A Leas, esq., the United States commercial agent at Belize, in regard to a recent proclamation of Prince Maximilian affecting the British settlement in Honduras, and relating also to other features of political affairs in that quarter and the West Indies.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq.,
Chargé d'Affaires of the United States.

Mr. Leas to Mr. F. W. Seward.

No. 208.] UNITED STATES COMMERCIAL AGENCY,
Belize, November 12, 1864.

SIR: Great excitement is prevailing in the commercial and official circles of Belize in consequence of the appearance in the Mereda newspaper of an official proclamation, under the orders and by the authority of the emperor of Mexico, to the effect that the peninsula of Yucatan is, on and after the 1st of October last, to be governed or presided over by three prefects, and to be divided into three arrondissements, one of which is to be designated as the arrondissement of Mereda, the boundaries of which are to be as follows: Commencing at the mouth of the Rio St. Pedro y St. Pablo, on the Gulf of Mexico, and running up the centre of that stream to the Usumasinti; up the latter to a point where the Guatemala district of Peten is encountered; from thence along the line that divides Peten from Guatemala to the headwaters of the river Sarstoon; down the middle of the Sarstoon to the gulf or bay of Honduras, and from thence along the coast to the place of beginning; comprehending in this latter all the keys and islands contiguous to the main land. The same proclamation provides, further, "that there are a few Englishmen located at the mouth of the river Belize, or Wallis, who have had the permission, under the treaties with Spain, to cut wood, and they are not to be molested," meaning that they are not to be disturbed in their wood-cutting operations.

Thus it will be seen that Maximilian has, by this proclamation, swept into his possession not only the district of country known as Peten, and which has always been claimed as being within the legitimate jurisdiction of Guatemala, but the whole of British Honduras, with all the keys and islands, thus ignoring entirely the idea of British sovereignty. These people are feeling themselves greatly insulted, as being designated as a few English wood-cutters, and are mustering up a large amount of bitterness of feeling against the emperor of Mexico, and, indeed, are preparing for dire vengeance against him. All the old and new guns, of a cheap character, are being purchased, with the view, I doubt not, to be sent for distribution among the Indians on the Yucatan side of the Rio Hondo, who are, and have been for some years, not only hostile to the Mexican government, but in open rebellion, having long since driven the Mexican authorities from the southern portion of Yucatan.

Though much real anxiety is being manifested among the better classes in Belize lest England will, without a struggle, succumb to the demand and assumption of Maximilian, more with the view of shaking off a dependency which has proved more burdensome than profitable, than from any belief that the latter can sustain his claim either by force of arms or peaceable arbitrament, yet I doubt not that England will resist the cliam of Mexico with great tenacity. The old diplomatic battles will in every case, I doubt not, have to be again refought. I think I can see that Maximilian is disposed to take up the case where old Spain left it, namely, after the defeat of General O'Neil at George's key, at the close of the Pork and Doughboy war in 1798. If Mexico can evade or set aside her obligations as contained in her treaty with Great Britain of 1826, the question then of plenary sovereignty as the result of peaceable possession will be fairly opened, and the first necessity then created will be to determine as to what length of time should be considered sufficient, as between nations, to constitute a *de facto* claim; because, undoubtedly, England has remained in peaceable possession of this colony since the year 1798, without any practical objections from any quarter, unless, indeed, it can be believed that the treaties of 1809 and 1814 revitalized those of 1783 and 1786; and which, I think, might be believed without much damage to truth. However, I think the question is probably destined to be one of a somewhat vexed and litigious character; and

the greatest barrier, in my opinion, to Mexico's claim will prove to be her treaty of 1826. But as this whole imbroglio is likely to be somewhat of the "dog-eat-dog" character, we have really nothing to do with it, particularly in view of the present arrangement of parties.

These people evidently have a great horror for Spanish rule and government, and from the intimations of some I infer that, if they are to be forsaken by the British government, they will, with uplifted, suppliant hands, implore the United States government to receive them under her capacious wings; and, indeed, some have interrogated me already as to the course we will pursue in case England relinquishes her claim to this colony, and my answer is, "Sufficient for the day is the evil thereof." When the question demands a solution at our hands the government of the United States will doubtless treat it as its merits demand. But all this seems to look like a verification of the prophecy which I ventured to make some months ago, to the effect that the full design of Napoleon would not be consummated until the new Mexican empire should be made to comprehend the ancient boundaries as governed by Iturbide; and, as a partial proof of this hypothesis, we have only to loop this effort of Maximilian with the attempt of the late French consul at Galveston to alienate the State of Texas from the American Union, and the case is fast being made out.

The same paper that contained the proclamation of Maximilian also contained a very inflammatory article against the English settlers in Belize, charging them with having furnished munitions of war to the Indians in rebellion against the Mexican authorities; also calling seriously in question their right to occupy this country. There is evidently a bad state of feeling existing on the part of the Mexican population of Yucatan, or the authorities thereof, against the English in British Honduras. Should you, however, find it desirable in the future to become thoroughly conversant with this entire question, so far as its historical bearings are concerned, I beg most respectfully to refer you to the manuscript which I had the honor to transmit to the department some months ago, and which, I think, is a faithful history of the country of British Honduras.

A rumor reached this place a few days ago through the newspapers that Denmark had proposed to dispose of her West India possessions to the government of the United States; and in a conversation with the governor the day following, I mentioned the fact of such a report being current, when he promptly replied that it would be the very best disposition that could be made of them. Whether or not he meant what he said, is another matter. This afternoon I again met the governor, whilst taking his usual afternoon's ride, when he stopped me, inquiring the news. I informed him that information had just reached me that the Florida had been captured by a United States gunboat, and immediately the conversation changed to the proclamation of Maximilian. He said frankly that Great Britain would never relinquish the colony to Mexico; that the opinion is gaining popularity in England that it is not politic to hold so many dependencies at so great a distance; and hence, if it should be deemed desirable to relinquish this colony, it would be to the people themselves, so that they might either manage their own affairs or seek such affinities as would best suit their taste; and intimated, as he once before plainly observed, that the United States would be more suited to exercise jurisdiction in Central America than Mexico. Believing that his purpose was mainly to seek my opinion upon that subject, I remarked that whilst Cuba, from many considerations, might be desirable to the government of the United States, yet I was fully of the opinion that an extension of our territory upon the main land would neither be politic nor wise; that we now possess as much domain as could be well managed by one central power. But yet, nevertheless, the fact need not be disguised, that we do feel a great concern that these Central American countries should have stamped upon them good stable governments of a republican character; and *that* we doubtless should not fail to lend our full moral influence, upon all

proper occasions, to bring about and secure such a result, but that absorption or annexation is not any part of our present policy. Though I spoke thus to the governor as a man, and not by authority, and may or may not have reflected the national opinion, yet they are views I think highly conservative, and will, at least, tend greatly to smother up previous jealousies and assumptions in regard to our propagandism and cravings in Central America.

I understand that the commandant of Ysabal, in Guatemala, has arrived here in connexion with the proclamation of the emperor of Mexico.

With great respect, I have the honor to be your most obedient servant,

CHAS. A. LEAS,
United States Consul General.

Hon. F. W. SEWARD, *Assistant Secretary of State.*

No. 80.

Mr. Bigelow to Mr. Seward.

[Extract.]

No. 8.] LEGATION OF THE UNITED STATES,
Paris, January 20, 1865.

SIR: During an interview which I had yesterday with his excellency the minister of foreign affairs, and after disposing of some matters with which I have no occasion to trouble you at present, a conversation ensued, which I deem it my duty to report to you—part of it at his excellency's request.

I took the liberty of recalling a remark which his excellency made to me at our first interview, to the effect that the relations of France and the United States were, as usual, "friendly, though delicate—delicate." I asked him if he had any special source of anxiety in his mind when he made that remark, of which I or my government might be ignorant. He said promptly, "Oh, no; nothing. I only referred to the perplexities growing out of our neutral position." "No," he added, "if there were anything special I should have told you; you may always be sure that I shall speak frankly and freely with you." I thanked him for the assurance; said I should not have troubled him with the question, but I had already learned to know the value of his words, and had been struck by the somewhat emphatic repetition of the word "delicate," which led me to fear that something might have occurred since he last saw Mr. Dayton, which had not been communicated to me.

I then said that, with the frankness which he invited by his example and promise, I would take the liberty of asking him another question, premising, however, that I did so without any special solicitude upon the subject, and of course without any instructions from my government. I referred him to reports quite current in the public journals, and at the clubs, that the Archduke Maximilian, the titular emperor of Mexico, had ceded or was about to cede Sonora to France. I told him that while I had no instructions to put such a question, I felt that I should neglect my duty if I failed to give my government the earliest information possible upon a matter in which the people of the United States would feel the liveliest interest.

His excellency replied that there had been no cession of territory, nor any question of such a thing; that it had been proposed to give the government of France a lien upon the mineral products of Sonora, in some way to secure the Mexican indebtedness to France, and an inquiry had been instituted to ascertain how far such a security could be made available, but nothing had been determined upon.

His excellency then said there was another report circulating in the papers, which he was glad of an opportunity of speaking to me about. He referred to the article of which I enclose a translation, copied from the *Epoca* of Madrid, and which I had already read and discussed with Mr. Barreda, the Peruvian minister, who had satisfied me that its material averments were entirely groundless. Mr. Drouyn de Lhuys stated that there was no foundation whatever for the story; that he did not know the motives of the Spanish journal for making such a statement, but he supposed the party in whose name it speaks were not indisposed to have it believed that France sympathized with Spain in her controversy with Peru.

I told him that I had seen the extract to which he had referred in an evening print, but was so entirely satisfied that there could be nothing in it, that I had not thought of troubling him with questions about it. I only wondered how such a paragraph could have found its way into the columns of the *Moniteur*. He asked if it was in the *Monitcur*. I said it was.

* * * * * * *

I am, sir, with great respect, your obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State.

[Translation.]

At the risk of exposing ourselves to accusations, which, however, will not affect our enlightened patriotism, we believe it our duty to call public attention to the conduct of France towards Spain, in the Pacific, under circumstances in which it might have been put to the proof by our naval forces on the coast of Chili and Peru. According to statements made by semi-official journals and correspondents from Panama, it is certain, and proofs of these facts exist in governmental regions, that after the catastrophe which destroyed the frigate Triemfo, and when the attitude of the Peruvian congress threatened to lead to difficult complications for our flotilla, the commandant of the French naval forces in the Pacific put all his resources at the disposition of your navy; as also, several months previously, the French consul at Panama had exposed his life in order to save that of Mr. Salazar y Mazaredo, the Spanish representative. Four years ago France placed herself in the same way, and resolutely, on our side, in our African war. She has sustained us in Mexico, and has not made the least trouble on the subject of San Domingo. Of what importance is it that certain persons obedient to the unworthy prejudices of our epoch disregard these facts, which, nevertheless, evidence a profound respect for the independence of the Spanish nation, and prove sincere sympathy for the august sovereigns seated upon the throne of Castile? In our day public opinion does justice to whom it is due, and the passions of a party cannot succeed in misrepresenting the sentiments of a people as noble and as loyal as the Spanish people.—(*Epoca.*)

Letters from Guayquil received by the Journal Las Noticias confirm the account published by *la Epoca* up to the 30th December. No demonstration or attempt of any kind had been made against our squadron in the Pacific, and according to the statement of its commandant he had no fears whatever of being attacked. The 16th, three days after the departure of the mail, the vessels destined to increase our force in those seas ought to arrive; and on the other hand, our vice-admiral had received from the commandant of the French fleet offers of service of every sort if he should have need of them.—(*Idem.*)

No. 81.

Mr. Seward to Mr. Bigelow.

No. 33.] DEPARTMENT OF STATE,
Washington, February 7, 1865.

SIR: Your despatch of the 20th of January, No. 8, has been received, and your proceedings therein are approved.

You are very right in addressing to Mr. Drouyn de Lhuys the question about the reported cession of Sonora by the Archduke Maximilian to France. It is the opinion of this government that such a cession, or even the creation of a lien upon the mineral revenues of Sonora, would not be regarded with favor by the people of the United States. It would relieve the relations between this country and France very much if I am authorized to say that no such project will be adopted. No credit was given by this department to the story that France had put her naval force in the Pacific at the command of the Spanish admiral. We have every reason to be satisfied and gratified with the proceedings of the imperial government in regard to the suspected controversy which has arisen between Spain and Peru—a controversy which, I am happy to have reason to believe, is now in a way of amicable settlement.

You will read of projects on the part of our insurgents to suspend the present contest, or end it by a combined war against France alone, or France and England. If they come in question, you may confidently say that this government prefers to fight this civil war out on the present line, if no foreign state intervenes in behalf of the insurgents.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., *&c., Paris.*

No. 82.

Mr. Seward to Mr. Bigelow.

No. 38.] DEPARTMENT OF STATE,
Washington, February 7, 1865.

SIR: Mr. Etchison, recently for a brief period United States consul at Matamoras, a month or two since had an angry correspondence with General Mezia, the military commander there, on the subject of the arrest of fugitives from Texas who were claimed for the military service of the insurgents. Without expressing an opinion upon the chief points of the controversy, it may be acknowledged that, on the part of Mr. Etchison, it was conducted in a manner by no means likely to impress a military commander with the correctness of his views, was mostly officious, and entirely unauthorized by this department. You may communicate this information to Mr. Drouyn de Lhuys, should there be occasion therefor, and may add that, at the very date of the correspondence referred to, instructions from this department were on the way to Mr. Etchison relieving him from his official functions.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., *&c., Paris.*

No. 83.

Mr. Bigelow to Mr. Seward.

[Extract.]

No. 25.] LEGATION OF THE UNITED STATES,
Paris, February 9, 1865.

SIR: Reference had to my despatch No. 8, I desire to call your attention to the following official statement which I translate from the *Moniteur* of yesterday morning:

"All reports circulating in the journals relative to a cession made to France by the Mexican government of certain provinces of Sonora, Chihuahua, &c., &c., are absolutely unfounded."

The rumors which this paragraph is designed to put at rest have been widely circulated in Europe, and had begun to provoke discussion even in France, but in a tone uniformly unfavorable to the cession, the proximity of the new colony to the United States being always enumerated as its chief misfortune.

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I am, sir, with great respect, your very obedient servant,
JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State.

No. 84.

Mr. Bigelow to Mr. Seward.

[Extract.]

No. 29.] LEGATION OF THE UNITED STATES,
Paris, February 14, 1865.

SIR: The Stonewall was yesterday afternoon lying at Ferrol. Mr. Perry states, upon the authority of the consular agent at Ferrol, that she stands in need of repairs before she can take the sea, and that the Spanish government will refuse her permission to make them.

Captain Craven is at Corunna with the Niagara. He exhibits impatience to have the Sacramento join him. Mr. Harvey informs me that the Sacramento is undergoing repairs also at Lisbon, but, as far as I can gather from their despatches, she will soon be, if she is not already, on her way to Corunna. I doubt if Craven feels entirely confident of his ability to meet the Stonewall single-handed. He asked me, ignorant, I presume, of what I have already attempted, to solicit the intercession of France with the Spanish government to detain her. Mr. Perry informs me, confidentially, that the fortifications of Ferrol are not strong enough to keep the Stonewall, if she is determined to go out. If so, the only effectual mode of detaining her is by sending vessels-of-war, and I doubt whether France has anything at hand that she would dare to expose to such an enemy.

I shall endeavor to shake Mr. Drouyn de Lhuys's determination when I see him on Thursday. I am unwilling to reply in writing to his letter of the 7th February, because I think it my duty to leave to you the selection of the ground upon which the controversy over this vessel, which is impending, shall be waged.

I have reason to believe that Slidell wrote home by the last mail that the Spanish government had sent to their minister, Mr. Mon, in Paris, to ascertain whether France desired the detention of the vessel. That Mr. Drouyn de Lhuys

said they had nothing to do with her, and that Mr. Mon sent for Mr. Slidell, who satisfied him that the Stonewall was a regularly commissioned confederate vessel.

If Slidell is correctly reported—and I suppose he is—it only confirms me in the opinion towards which I have been steadily drifting since my interview with the minister of marine on Sunday week, that the depredations which the Stonewall may occasion us will be the least of the troubles of the government. They don't care how much these steamers wrong us, provided they do not give us an opportunity of fixing the responsibility for what occurs upon them.

* * * * * * *

Though I am unable to assign any very satisfactory authority for it, I am strongly impressed with the conviction that, but for the Mexican entanglement, the insurgents would receive very little further countenance from the imperial government, and that a reconciliation of the national policies of the two countries on that question would speedily dispose of all other sources of dissatisfaction.

I am, sir, with great respect, your very obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c.

No. 85.

Mr. Bigelow to Mr. Seward.

No. 35.] LEGATION OF THE UNITED STATES,
Paris, February 17, 1865.

SIR: The corps legislatif was opened by the Emperor on the 15th instant with customary impressiveness. I enclose a copy of his Majesty's discourse. He treated the discovery of Columbus with conspicuous reserve. As in a family of children the infant is apt to engross the parental attention, so, out of the large family of American States, the youngest born was the only one that cost his Majesty a remark. This silence in regard to the United States was natural. There has been, and, from the nature of things, there must continue to be while our war lasts, so much of menace in our attitude towards Mexico that the Emperor could hardly have pursued a course more consistent with his own dignity, or more satisfactory to his subjects on this occasion, than by observing an expressive silence. The tone of the discourse was eminently tranquillizing, and is greatly admired for the skill with which it disposed of several very delicate questions of foreign policy. The only feature of it that has provoked criticism is that which treats of the convention of the 15th September, 1864, and his language in that connexion is discussed, apparently, rather with the view of extracting interpretations and admissions from the official press, than from anything exceptionable in the tenor of the speech. The various allusions to his Gallican ecclesiastical policy were received by his audience with strong marks of approbation. There was one paragraph of the speech to which I attach a larger meaning than perhaps it deserves. It was this:

"The convention of the 15th of September, disentangled from passionate interpretations, consecrates two great principles—the firm establishment of the new kingdom of Italy and the independence of the Holy See. The provisional and precarious state of affairs which excited so much alarm will soon terminate. It is no longer the scattered members of the Italian nation seeking to connect themselves by feeble links to a small state situated at the foot of the Alps; it is a great country which rises above local prejudices, despising the ebullitions of unreflecting agitations, which boldly transfers its capital to the centre of the Pe-

ninsula, and places it in the midst of the Apennines, as in an impregnable citadel. By this act of patriotism *Italy definitely constitutes herself*, and at the same time reconciles herself with Catholicity."

I have not been able to resist the suspicion that this language, coupled with the silence of the Italian and French press for some months about Venetia, imports some sort of a transaction in *esse* or in *posse* for a termination of the boundary quarrels between Italy, Austria, and Rome, by common sacrifices, and by the adoption of the Apennines as one of the natural boundaries of Italy. The habitually practical character of the Emperor's statesmanship, and the almost equal necessity of these three powers to arrange their differences by some less expensive agency than the sword, may, however, have led me to attach more importance to these expressions than they really deserve.

What is said about the return of the army from Mexico is doubtless correct, so far as the wish and intention of the government is concerned, though it does not correspond with information which reached me a few days since of orders having been recently issued for more troops to be in readiness to leave for Mexico upon short notice.

The speech is received with great favor by the liberal press, while the domestic policy which is foreshadowed appears to have given universal satisfaction.

I am, sir, with great respect, your very obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c.

P. S.—I have no mail from Washington later than the 24th of January. I expect the Canada's mail through the despatch agency to-morrow morning.

5 p. m.—The blue, or, rather, the yellow book has just come in, but too late for this post. J. B.

No. 86.

Mr. Bigelow to Mr. Seward.

No. 36.] LEGATION OF THE UNITED STATES,
Paris, February 17, 1865.

SIR: One of the last communications which I had the honor to address to you from the consulate related to a scheme for enrolling Poles in this city, and in other parts of France and Europe, for the confederates. I am now able to give you some more definite information upon the subject.

The project had its origin with a Colonel Smolenski, a Pole by birth, who had resided many years in Texas, and who came out here to take part in the recent Polish revolution. He could not agree with the Polish commissioners here, abandoned their cause, and projected a scheme for the colonization of the northern frontier States of the confederacy with his unfortunate country-people, who were to be supplied with a passage, a farm, and some other privileges, on condition that they would bear arms, if necessary, in defence of their new homes. The terms were framed under the direction of a Mr. Williams, an Englishman, of whom I can learn nothing precise, and a man named Bujnicky, refugeed from Russian Poland, whose property has been confiscated, and whose wife has been sent to Siberia. This man went, on the 26th of December last, to London for funds; he was here the other day, but without funds; his address there is Hotel Krall, John street, American Square, London. Two Poles—one named Wilkiewiez, and the other Leongewski—were charged to receive the enrolments. When the number reached three hundred, they were to be sent on to the Confederate States; and it was to obtain funds to meet the expenses of their expe-

dition that Bujnicky went to London. Three different recruiting stations were opened in Paris, and I am told that the number of three hundred would have been ready if the funds had arrived.

Before the affair, however, had reached this point, the police, whose forbearance had been counted upon, and not without reason, began to take a new interest in what was going on, and Mr. Boudeville, the head of the department of police, which is occupied with the movements of emigrants, sent his men and seized all the lists and documents in possession of the recruiting agents, and put an end, for the present at least, to the scheme.

He took exception to the clause of their articles about bearing arms; said he had no objection to their going as mere colonists where they pleased, but the conditions of their enlistment compromised the neutrality of France. They must find means to go somewhere else to enlist, if they wished to enter the confederate service. He then said, that *if they wished to enter the Mexican service, they might receive some encouragement.* Here the matter now stands. I presume if these men avail themselves of Mr. Boudeville's proposal, they will be used in aid of the Emperor's undertaking to bring back the French army from Mexico.

I learn from the same source which supplies me these details that a Mr. Irwin S. Bullock and a Mr. Lewis were here, on the second of January, to confer with the recruiting agents about this business, and left on the fifth for Marseilles and Toulon. They have not returned so far as I can learn, though, as I was informed about that time, they were soon expected.

Two hundred and fifty Polish volunteers enlisted in London, and are expected to embark at Liverpool on the 25th of this month.

Some Polish refugees in Switzerland have written to a Mr. Teichman, also a Pole, acting for the confederates here, asking for aid to carry them to the confederate territory. It is also reported here among the Poles that Count Sabolewsky had been furnished with forty-five thousand francs to be used in collecting Polish recruits at Zurich and in Italy.

While applications from Frenchmen and Germans for service in our army have been constant for three years past, I do not remember to have received a half a dozen from Poles during my residence here.

This fact, taken in connexion with what seems a sort of combined movement mong the refugees of that unhappy province, leads me to suppose that some means have been used to persuade them that they have common cause with the insurgents against us on the ground that the United States have made common cause with Russia against them.

I have here given you all the information I possess upon this subject up to date. I have not communicated these details as they reached me from time to time, because there seemed to be no occasion to trouble you with them.

I am, sir, with great respect, your very obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c.

No. 87.

Mr. Seward to Mr. Bigelow.

No. 48.] DEPARTMENT OF STATE,
Washington, February 21, 1865.

SIR: I transmit a copy of a letter of the 10th instant, and of the accompanying papers, addressed to this department by the Secretary of War, relative to the capture, in Mexican waters, by insurgents from Texas, of the steamer Ark,

when on a voyage from New Orleans to Matamoras. The abuses of the rights of neutrals which, throughout the present war, have been committed by trade with the pretended neutral port of Matamoras, and the open intercourse and unfeigned good understanding between inhabitants of that port and enemies of the United States in Texas, have materially served to prolong the war itself, and, in our opinion, would perhaps have justified, if not the seizure, at least the blockade of Matamoras, as a measure of self-protection.

Please call the attention of Mr. Drouyn de Lhuys to the subject, with a desire that neutrality may be vigorously enforced there by the French troops in occupation, and so remove a source of embarrassment which seems to be quite annoying.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., &c.

Mr. Stanton to Mr. Seward.

WAR DEPARTMENT,
Washington City, February 10, 1865.

SIR: I have the honor to transmit to you a report of Major General Canby, commanding the military division of west Mississippi, in relation to the seizure of a United States vessel at the mouth of the Rio Grande, together with certain official papers connected therewith, which accompany that report.

Your obedient servant,

EDWIN M. STANTON,
Secretary of War.

Hon. WILLIAM H. SEWARD,
Secretary of State.

NEW ORLEANS, *January* 19, 1865.

SIR: On the 16th of July last the steamer Ark, Augustus Williamson, master, left this port laden with lumber, &c. She belonged to John Bochino, a citizen of the United States, entirely loyal, and a resident of this city for many years past. The value of this vessel was not less than $25,000, and her cargo was worth about $2,000. In proceeding up the Rio Grande, and when about twelve miles above Bagdad, her machinery became slightly disabled, and she ran aground from eight to ten steps distance from the bank of the river on the Mexican side. While in this position, and in Mexican waters, she was seized and taken possession of by the confederates, to wit, on the 7th August, 1864, and carried to Brownsville, Texas. At this port she was condemned as prize, and subsequently sold as such to certain Mexican citizens, to wit, on the 23d October, 1864.

The steamer Ark cleared regularly at this port, receiving all essential documents, exemplifications of which are hereto annexed. She was also duly entered at the port of Bagdad upon arriving there.

The object of presenting this case to you, Mr. Seward, is to obtain restitution of this property, if possible. Mr. Bachino appears to have been divested violently thereof, in violation of the laws of nations, and in violation of the protection afforded our commerce in neutral waters, and Mr. Bachino has thought fit to lay this matter before you, sir, for such action as you may deem fitting in the premises.

Respectfully,

J. S. WHITAKER, *Attorney.*

Hon. WILLIAM H. SEWARD, *Secretary of State.*

John Bachino, the within named claimant, being duly sworn, deposes and says that all the facts set forth in the foregoing statement are true.

J. BACHINO.

Sworn to and subscribed before me this 26th day of January, 1865.

CHARLES CLAIBORNE,
United States Commissioner.

I, Charles Claiborne, United States commissioner for the eastern district of Louisiana, do hereby certify that John Bochino, the claimant herein, this day appeared before me at my office, and made oath to the facts set forth in this petition.

In faith whereof, I grant the presents under my signature and seal of office, at the city of New Orleans, this 26th day of January, in the year of our [SEAL.] Lord 1865, and the eighty-ninth year of the American independence.

CHARLES CLAIBORNE,
United States Commissioner.

UNITED STATES OF AMERICA, EASTERN DISTRICT OF LOUISIANA,
City of New Orleans, State of Louisiana:

On this 21st day of January, in the year of our Lord one thousand eight hundred and sixty-five, before me, Charles Claiborne, a commissioner duly appointed by the circuit court of the United States for the eastern district of Louisiana, personally appeared at my office, in the city of New Orleans, in the said eastern district of Louisiana, Augustus Williamson, who, having been duly sworn, did thereupon depose and say: That on the 16th July, 1864, he left New Orleans in command of the steamer Ark, bound for Matamoras, with a cargo of lumber, say fifteen thousand feet, and three passengers. We arrived at Bagdad, Mexico, on the 29th day of July, 1864, and there entered the steamer at the custom-house. We lay at this port three days, and then on the 1st of August, 1864, left for our destination, Matamoras. At about 5 o'clock p. m. the machinery became so disabled as to prevent our further progress. I then threw out an anchor on the Mexican side, about twelve miles above Bagdad, say at about fifteen yards from the Mexican side of the river. I caused the vessel to sheer close into the bank during the night, so as not to be in the way of other vessels that were passing. The river fell during that night about four feet, and the vessel was then left fast aground. I then found it impossible to get her off; went to Bagdad, and obtained a small vessel to take off her cargo, for the purpose of lightening her. On the 6th of August I carried in our yawl an anchor to the Texas side, and intended to have used this, with a chain attached to the steamer, for the purpose of getting her afloat in deep water; but the chain not being long enough to reach the anchor, I was unable to use it as intended, to wit, to heave her off.

The steamer was not, therefore, attached to the Texas side of the river. On the 7th of August I got out a large portion of the cargo on the deck, for the purpose of putting it on board the vessel referred to. Before I could get any of this on board the small vessel, armed confederates came up in force, from two hundred to three hundred strong, on the Texas side of the Rio Grande, (at this point not over one hundred and fifty yards in width,) and required me to send my yawl boat across for them, which I found it necessary to do. Twelve came over and took possession of the vessel, and made me and the crew prisoners, my passengers having already left me at Bagdad. On or about the 14th of August they took us to Brownsville, the steamer being still left aground, with twelve soldiers on board; we were imprisoned up to the 27th of August, 1864, released then two days on parole, and then sent to Houston, being released eventually

on the 8th day of December, 1864. I gave my deposition to the same facts herein stated while in Brownsville, before the confederate authorities. I should have stated that some two or three days after the vessel was seized by the confederates, General Cortinas sent a courier on board the vessel to Colonel Ford, in command of the confederate force, demanding the vessel, because taken in violation of neutral waters, but the demand was disregarded. The confederates sold the steamer, after her capture, for the sum of thirteen thousand and fifty dollars in gold. She was sold at auction at Brownsville. I do not know who purchased her. Her name has been changed. She is now running on the river between Bagdad and Matamoras.

AUGUSTUS WILLIAMSON.

Sworn to and subscribed before me this 21st day of January, 1865.

CHARLES CLAIBORNE,
United States Commissioner.

UNITED STATES OF AMERICA, EASTERN DISTRICT OF LOUISIANA,
City of New Orleans, State of Louisiana:

On the 21st day of January, in the year of our Lord one thousand eight hundred and sixty-five, before me, Charles Claiborne, a commissioner duly appointed by the circuit court of the United States for the eastern district of Louisiana, personally appeared at my office, in the city of New Orleans, in the said eastern district of Louisiana, Antonio Miguel, who, being duly sworn, did thereupon depose and say:

I left New Orleans on the steamer Ark on the 16th of July, 1864. We left for Bagdad, Mexico, with the intention of going from that place to Matamoras. We reached Bagdad on the 29th July, 1864. We lay there three days, and then left for Matamoras; on the same day, when we were about twelve miles from Bagdad, the captain, with one of the deck hands, was at the helm; the captain was intoxicated and could not steer the steamer properly, and ran her aground on the Mexican side. He got her off, and backing her out she struck the Texan side; and when we had hardly started to go up the river the engineer cried out that the engine was disabled, and the captain then dropped anchor on the Mexican side, on the same place where we had been aground before. We remained there until the next morning. The water having fallen four feet during the night, the vessel was hard aground. Not being able to heave her off, the captain went down to Bagdad to see the owner. We remained there two days, and then returned to the steamer in the yawl. We took the cargo or a portion of the cargo from the hold and put it on deck, for the purpose of having it ready for a small steamer, the Valdez, which I understood had been chartered to take off the cargo of our steamer and transport it to Matamoras. The Valdez was alongside of us when a confederate force of two or three hundred men hailed us from the Texas bank and asked for the yawl, so that they could come on board. The yawl was sent to them. Twelve came on board and took possession of the vessel. They asked for her papers and for her American flag. The Mexican flag was flying at her masthead; it had been sent that very day by the owner to protect her. The papers and the American flag had been placed by the captain in a tin box and dropped in the water where they could had been found when necessary. The captain told the confederates that he had no papers on board, and that the only flag he had was the Mexican flag.

That same night the captain was drunk, and told them that the steamer was American; that he had buried the American papers of the vessel and her American flag, and that he would get them and give them up. The next morning Colonel Ford came on board and told the lieutenant in command of the cap-

turing force that the steamer could not be held; that she should be released. The lieutenant answered that she was a good prize, and gave Colonel Ford the information he had received from Captain Williamson. Colonel Ford then told us that if the papers and flag of the steamer were delivered to him he would release us all. We were two or three days before making up our minds to deliver them up. After a consultation between the officers and crew, we all agreed to deliver them up, and take their word that we should be immediately released. They did not keep their word; the flag and papers were delivered to them, and they took us prisoners to Brownsville, where we remained until the 1st day of September, 1864. We were carried to Houston and released on the 8th of December, 1864.

ANTO. MIGUEL.

Sworn to and subscribed before me this 21st day of January, 1865.
[SEAL.] CHARLES CLAIBORNE,
United States Commissioner.

DISTRICT OF NEW ORLEANS,
Surveyor's Office, Port of New Orleans:

I do certify that the steamboat Ark, of New Orleans, is American built; that she has one deck, no masts; her length is eighty-two feet —— inches, her breadth seventeen feet —— inches, her depth three feet five inches, and measures forty-four tons ninety two feet; has a round stern; has —— galleries and —— head; and that her name, and the name of the port to which she belongs, are painted on the stern in the manner required by the third section of the act for registering ships or vessels of the United States.

Given under my hand, at New Orleans, aforesaid, this twenty-eighth day of April, 1864.

J. P. TUCKER, *Acting Surveyor.*

I, owner of the aforesaid, do agree to the foregoing description and measurement.

NEW ORLEANS, *April* 28, 1864.

I, J. C. Woolverton, of New Orleans, shipwright, do swear that the steamer Ark, having one deck, and being in length eighty-two feet, in breadth seventeen feet, in depth three and five-tenths feet, and measuring $44\frac{92}{95}$ tons, having one gallery and no head, was built by me, or under my direction, at New Canal, parish of Orleans, Louisiana, in the United States, in the years 1863 and 1864.

J. C. WOOLVERTON, *Shipwright.*

Witness: P. E. HUGON.

No. 107.—PERMANENT.

In pursuance of an act of Congress of the United States of America, entitled "An act concerning the registering and recording of ships or vessels."

John Bachino, of New Orleans, State of Louisiana, having taken or subscribed the oath required by the said act, and having sworn that he is a citizen of the United States, and the only owner of the ship or vessel called the Ark, of New Orleans, whereof D. Bachino is at present master, and a citizen of the United States, as he hath sworn, and that the said ship or vessel was built at New Orleans, State of Louisiana, in the year one thousand eight hundred and fifty four, as per enrolment No. 147, and documents on file in this office having certified that the said ship or vessel has one deck and two masts, and that her

length is eighty-two feet —— inches, her breadth seventeen feet —— inches, her depth three feet five inches; and that she measures forty-four tons; and that she is a steamer, has a round stern and a plain head; and the said John Bachino having agreed to the description and admeasurement above specified, and sufficient security having been given according to said act, the said steamer has been duly registered at the port of New Orleans.

Given under our hands and seal, at the port of New Orleans, this 6th day of July, in the year one thousand eight hundred and sixty-four, (1864.)

I do hereby certify that this is a true copy of the register of said steamer issued at this office, July 6, 1864.

JOHN N. COLLINS, *Collector.*

No. 88.

Mr. Seward to Mr. Bigelow.

No. 49.] DEPARTMENT OF STATE,
Washington, February 21, 1865.

SIR: I transmit, for your information, a copy of a letter of the 7th instant, and of the accompanying papers, addressed to this department by the Assistant Secretary of War, relative to the surrender by General Mejia, at Matamoras, of refugees from Texas as deserters from the insurgents. This was the subject of the instruction to you, No. 38, of the 7th instant.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., *&c.*

Mr. Dana to Mr. Seward.

WAR DEPARTMENT,
Washington City, February 7, 1865.

SIR: I am instructed by the Secretary of War to transmit for your information, and for such action as you may consider appropriate and necessary, the enclosed communication from Major General Canby, with its accompaniments, in relation to the surrender by General Mejia, commanding at Matamoras, Mexico, of citizens of the United States, deserters from the rebel service, or refugees from the rebel territory.

I will thank you to return the enclosures, after having availed yourself of their contents.

I have the honor to be, sir, your obedient servant,

C. A. DANA,
Assistant Secretary of War.

Hon. W. H. SEWARD, *Secretary of State.*

General Canby to Mr. Stanton.

HEADQUARTERS MILITARY DIVISION OF WEST MISSISSIPPI,
New Orleans, Louisiana, January 27, 1865.

SIR: I have the honor to transmit, for the information of the Secretary of State, copies of certain papers, marked A, B, C, and D, in relation to the surrender by General Mejia, commanding at Matamoras, Mexico, of citizens of the United States, deserters from the rebel service, or refugees from the rebel territory, on the pretence that they are criminals and fugitives from justice.

The course of General Mejia, which, from his own statement, appears to be

authorized by the emperor Maximilian, is one of direct hostility to the government of the United States, and, in my judgment, should be so treated. For reasons that have been impressed upon me by the Secretary of State, I shall, until otherwise advised, take no further steps in this matter than to send an officer to the Rio Grande, for the purpose of ascertaining the extent of this *extradition*, and the names of the unfortunates who have been turned over to the vengeance of the rebels, and, by remonstrance with General Mejia, prevent any addition to the number of victims.

Very respectfully, sir, your obedient servant,

ED. R. S. CANBY,
Major General, Commanding.

The SECRETARY OF WAR, *Washington, D. C.*

General Vile to Lieutenant Colonel Drake.

HEADQUARTERS UNITED STATES FORCES,
Brazos Santiago, Texas, January 12, 1865.

COLONEL: On assuming command at this place I immediately made such arrangements as greatly assisted deserters and refugees to reach my lines from Mexico.

This had the effect to increase the number of deserters very materially, and threatened to destroy the organization and efficiency of the rebel troops on this border.

Rumors have been reaching me for a month that the authorities of the Maximilian government were arranging to return deserters to the rebel authorities. During the last two days there has been a stampede among the very large number of these persons now on the Mexican side of the Rio Grande. As near as I can learn, some forty to sixty have been arrested by the Mexican authorities at Matamoras and delivered to General Slaughter.

I have not been able to hear from the United States consul at Matamoras for some days. If I had horses to draw the light artillery on the island I could easily drive Slaughter out of Brownsville. I have been over and felt of him sufficiently to satisfy me that he does not *intend to fight* in case we should advance. But it could not be held with the means of *this* command, and no material damage could be inflicted on him without a cavalry force.

No permanent relief can be given these destitute people without occupying and controlling the valley of the Rio Grande, which, of course, can best be done by going in from Matagorda bay and occupying San Antonio, which is the key to this whole valley and frontier.

These facts are stated for the information and consideration of the major general commanding the department of the Gulf.

I have no doubt of the fact that deserters are being delivered on the claims of the rebel authorities. I shall learn more in a day or two in relation to the matter, and will report further.

I shall be glad to receive any instruction or orders deemed necessary (if any) in the case.

Very respectfully, your obedient servant,

WM. A. VILE, *Brigadier General,*
Commanding Military Division West Mississippi.

Lieut. Col. GEO. B. DRAKE,
A. A. General, Department of the Gulf.

Official copy:

C. G. CHRISTENSEN,
Lieutenant Colonel, Assistant Adjutant General.

General Mejia to Mr. Etchison.

[Translation.]

IMPERIAL ARMY OF MEXICO, MEJIA DIVISION, GENERAL-IN-CHIEF.

No. 852.] MATAMORAS, *January* 10, 1865.

MR. CONSUL: I have the honor to acknowledge the receipt of and to answer your official despatch of the 8th instant, containing a serious complaint in favor of the rights and liberties of American citizens residing in this city, and of those who, having escaped from the army of the Confederate States, have come seeking the protection of the government of Mexico.

You assure me that you have reliable information to the effect that the so-called authorities of Brownsville are daily carrying off American citizens upon the pretext that they owe allegiance to their government, and that such abuses are committed by virtue of an agreement, made for the purpose, between the commander of the imperial forces at Matamoras and the confederate authorities at Brownsville. You conclude by stating to me that the government of the United States possesses the will and the power required to protect its citizens residing in foreign countries.

This last declaration, Mr. Consul, is an unseasonable threat, and the entire despatch is written under a strange hallucination of mind, entirely different from the measured language that is customary in the official intercourse between two countries, besides having no foundation in facts.

When you have deliberately considered their import, you will withdraw your words, or the government of the United States will do us justice by reproving the acts of its agent at Matamoras.

It is sufficient for me to state to you at present that it is untrue that any arrangement has been made by which American citizens are pursued, arrested, and conveyed to Texas, under the pretext that, owing allegiance to the confederacy, they have deserted from their army. Through private communications, the principal articles of the extradition treaty in regard to criminals, fugitives from justice, celebrated between Mexico and the United States during the ministry of Mr. Dobadao, have been agreed upon; from which slaves, also excepted by that treaty, are now expressly excluded, and deserters from the army who may seek refuge in Mexico; against these two classes of persons no claims can be attempted by the confederate authorities.

These private stipulations have been submitted for the approval of my sovereign, and, by his command, will be faithfully executed, as, being not only based on a pre-existing treaty, they attack the liberties of none others than criminals, but also in a sure manner expedite the ends of justice.

When the military commanders of the United States have pursued a course so diametrically opposed to humanity and civilization towards Mexico, as witnessed by the recent act of delivering Don Manuel de Regon, esq., a political exile, who sought refuge under the American flag, into the hands of his enemies, it appears incredible that an agent of that same government should not desire that at Matamoras, where the memory of that horrible violation is more indelibly impressed, the rights of citizens who are in no danger, and whose liberties no one pretends to attack, should not be protected.

The indecorous terms in which your note is couched authorize me, according to established custom, to return it without answer. I answer solely for the pur-

pose of conveying the views herein expressed, but in future will limit myself to acting as is customary in these cases.

Accept the assurance of my particular regard.

THOMAS MEJIA,
Com'dg General of New Leon, Coahuila, and Tamaulipas.

The CONSUL OF THE UNITED STATES *at Matamoras, Present.*

I certify that the above is a true copy:

D. G. FENNO, *Lieut. and A. D. C.*

HEADQUARTERS DEPARTMENT OF THE GULF,
New Orleans, January 26, 1865.

Official copy:

C. S. SARGENT,
First Lieut., A. A. A. G.

Mr. Etchison to General Vile.

UNITED STATES CONSULATE,
Matamoras, January 14, 1865.

SIR: I have the honor to acknowledge receipt of your letter of the 13th instant, in relation to the surrender of deserters and others from the so-called confederacy to the rebel authorities commanding at Brownsville, by the authorities of Matamoras.

I addressed a very severe letter to General Mejia on the subject, and a copy of his reply (translated) I enclose herewith.

It is reported in town that as many as twenty or more have been sent over, and without any trial or investigation being made. They are arrested, generally, very early in the morning, and are at once taken, with a file of soldiers, to the river, when they are delivered to the rebels. The whole proceeding is an outrage, as there can be no extradition treaty between two governments that have not in either case been recognized; and our treaty does not authorize the return of even criminals, until undoubted proof is shown that they are guilty. General Mejia's letter is a lame reply, and savors much of the pen of a rebel.

Referring to the cotton question, Dr. McManus requests me to say, that if you will have the kindness to send his cotton to the mouth of the Rio Grande, and have it surveyed and appraised, he will pay the salvage to you or your order.

I am, sir, very respectfully,

E. DORSEY ETCHISON,
United States Consul at Matamoras, Mexico.

Brigadier General W. A. VILE,
Commanding United States Forces, Brazos Santiago, Texas.

I certify that the above is a true copy:

D. E. FENNO
Lieutenant and A. D. C.

HEADQUARTERS DEPARTMENT OF THE GULF,
New Orleans, January 26, 1865.

Official copy:

C. S. SARGENT,
First Lieutenant 2d La. Vols., A. A. A. General.

General Vile to Lieutenant Colonel Drake.

NEW ORLEANS, LA., *January* 25, 1865.

COLONEL: Since my communication of the 5th instant, in relation to the agreement between the Maximilian and confederate authorities, by which deserters from the rebel army are being surrendered to the confederate military authorities, I have received a letter from Hon. E. D. Etchison, United States consul at Matamoras, Mexico, enclosing copy of the reply of Brigadier General Mejia to the protest of the consul on this subject, copies of each of which are enclosed for the information of the major general commanding department.

I am reliably informed that these persons are being delivered to the confederate officers at various other points on the river.

From all I could learn, I think about seventy-five have been given up in this way.

I have the honor to be, very respectfully, your obedient servant,

WM. A. VILE,
Brigadier General Volunteers.

Lieutenant Colonel GEO. B. DRAKE,
Assistant Adjutant General, Department of the Gulf.

HEADQUARTERS DEPARTMENT OF THE GULF,
New Orleans, La., January 26, 1865.

Official copy:

JOS. HIBBERT,
Captain and A. A. General.

No. 89.

Mr. Bigelow to Mr. Seward.

[Extract.]

No. 44.] LEGATION OF THE UNITED STATES,
Paris, March 6, 1865.

SIR: I send you some journals by this mail which may be worth your looking over. Among others, the last number of the Memorial Diplomatic, which is understood to be under the special inspiration of the ministry of foreign affairs.

You will find on page 157 confirmation of what I sent you by last mail about commissioners sent from Mexico to negotiate a concordat with the Pope.

A translation of part of this article is enclosed. You will not fail to remark that the commission is charged to treat directly with the Pope, and that Maximilian has sent Velasquez, his minister of foreign affairs, as president of the commission.

The promulgation in Mexico of a decree from Maximilian imposing restrictions upon the publication of papal bulls, &c, simultaneously with the departure of this commission, leads me to suspect that the tone to be taken by the commissioners when they reach Rome will be quite as decided as represented in my private note of the 3d instant.

You will observe by a paragraph on page 158 of the Memorial Diplomatique, that the government has found it convenient to attribute the delay of our government in naming a minister to this court in place of the late Mr. Dayton, to another motive than a disposition on the part of the President to resent the long vacancy in the French mission at Washington, to which the delay is generally ascribed. It is one of many signs, becoming daily more common, that public

opinion here begins to require of the government a conciliatory manner towards the United States.

* * * * * * * * *

I am, sir, with great respect, your obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD, *Secretary of State.*

[Enclosure No. 44.—Translation.]

[From the Memorial Diplomatique, March 5, 1865.]

Our correspondent from Mexico informs us that, in accordance with the desire expressed by the Holy Father, and justified by the constant usage of the Roman court, negotiations for the definitive arrangement of the ecclesiastical questions in Mexico are about to be concentrated at Rome. With this view, his Mexican Majesty has charged a special mission to go and treat directly with his Holiness; and as it was of importance to invest with this mission, as full of sharp points as it is delicate, men calculated to inspire a just confidence at the Holy See, the emperor Maximilian has designated his minister of state, Mr. Velasquez de Leon, as president of the commission, and first plenipotentiary of Mexico.

Mr. Velasquez de Leon is very favorably known at Rome for his devotion to the church. He will be aided by two councillors of state, charged more particularly to arrange the details of the execution of the concordat to be entered into between Rome and Mexico.

Mr. Velasquez de Leon and the two councillors of state who accompany him were to embark upon the French packet-boat which is expected about the 15th of March at Saint Nazaire.

No. 90.

Mr. Seward to Mr. Bigelow.

No. 62.] DEPARTMENT OF STATE,
Washington, March 7, 1865.

SIR: Your despatch of the 9th ultimo, No. 25, calling my attention to the official denial, in the Moniteur, of the truth of the report in circulation concerning the cession of certain provinces in Mexico to France, and to the communication of the Emperor to you upon the subject, has been received with satisfaction.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., *&c., Paris.*

No. 91.

Mr. Bigelow to Mr. Seward.

No. 50.] LEGATION OF THE UNITED STATES,
Paris, March 10, 1865.

SIR: Referring to your despatch No. 48, relative to the capture of the United States steamer Ark by rebel Texans in Mexican waters, when on a voyage from New Orleans to Matamoras, I have the honor to enclose a communication which I made upon the subject to his excellency the minister of foreign affairs yesterday.

I am, sir, with great respect, your obedient servant,

JOHN BIGELOW

Hon. WILLIAM H. SEWARD, *Secretary of State.*

Mr. Bigelow to Mr. Drouyn de Lhuys.

LEGATION OF THE UNITED STATES,
Paris, March 9, 1865.

SIR: On the 16th day of July last the United States steamer Ark, belonging to John Bachino, a citizen of the United States, and commanded by Captain A. Williamson, was cleared from the port of New Orleans for the port of Matamoras in Mexico.

When about twelve miles above Bagdad, on the Rio Grande, in consequence of an accident to her machinery, she grounded within a few yards of the Mexican shore. While in this position, and in Mexican waters, she was seized, on the 7th of August, by insurgent enemies of the United States from Texas, taken to Brownsville, condemned with her cargo as lawful prize, and sold at auction to some Mexican citizens.

The constant abuse of the rights of neutrals by persons trading with the port of Matamoras throughout the present war, and the open intercourse and unfeigned good understanding between inhabitants of that port and enemies of the United States in Texas, have materially prolonged the war itself, and have provoked, if not the seizure, at least the blockade of Matamoras as a measure of self-protection.

In view of all these facts, I am instructed to express to your excellency the desire of my government that neutrality may be regularly enforced by the French troops in occupation of Matamoras, and thus a source of embarrassment may be removed which seems to be quite unnecessary.

I have the honor to renew to your excellency the assurance of my most distinguished consideration.

JOHN BIGELOW.

His Excellency Mr. DROUYN DE LHUYS,
Minister of Foreign Affairs, Paris.

No. 92.

Mr. Seward to Mr. Bigelow.

No. 65.] DEPARTMENT OF STATE,
Washington, March 10, 1865.

SIR: I have the honor to acknowledge the receipt of your despatch of the 17th of February, No. 36, which gives me the information you have been able to acquire concerning the insurgent proceedings to enlist Polish subjects of Russia.

It is a pitiable result of the loss of national life that any of the children of Poland should, under influences of whatever form of demoralization, be disposed to pass into the military ranks of the army of disunion and slavery in the United States. Happily, the waning fortunes of the rebels seem likely to render the acceptance of such persons to the insurgent forces practically impossible, and so to prevent their incurring a disgrace to which we can only lament that they have so blindly consented.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., *&c.*

No. 93.

Mr. Bigelow to Mr. Seward.

No. 52.] LEGATION OF THE UNITED STATES,
Paris, March 10, 1865.

SIR: In consequence of a paragraph which I noticed in the Paris correspondence of a London journal, I asked the minister of foreign affairs yesterday whether he had any information of a circular, issued by the minister of foreign affairs of the Archduke Maximilian to the maritime prefects of Mexico, in reference to consuls acting irregularly and without exequaturs from the imperial government, provoked, as was stated, by two recent appointments made by the government of the United States. His excellency replies that he had not heard of anything of the kind, but, if I desired, he would procure me a copy, if any had been issued. I said that as the circular purported, according to the newspaper reports, to have been provoked by the action of my government, I presumed it would interest them to know what it was, and said I would thank him to procure me a copy if he could conveniently. His excellency took a memorandum of my request, and said it should not be neglected.

This morning I received the first copy of a new journal, entitled The Epoque, established and conducted by M. Ernest Feydeau, in which the circular in question is given at length. Though I presume a copy has already reached you, there is a chance that it has not; I therefore enclose a translation, with the editorial paragraph which followed it.

In this connexion, I invite your attention to an article in the Constitutionnel of the 7th instant, signed Boniface, relating to the reciprocal relations of France, Mexico, and the United States, which is chiefly deserving of attention for the paragraph with which it closes, and which may be translated as follows:

"The work which France has undertaken in Mexico, *and which she will not leave unfinished,* moves, then, towards a happy and rapid accomplishment."

This article appeared nearly simultaneously, I am told, upon what I deem credible authority, with the declaration of the Emperor to his council that the honor of France was involved in the support of the new empire in Mexico. This declaration was followed by the issue of orders for the transport of 8,000 men—that is, eight regiments from Algeria—to the support of General Bazaine, who, as I have already advised you, lacks confidence in the mercenaries with whom the Emperor has attempted to replace the French soldiers in the archduke's service. Should this information prove correct, it will give to the approaching debates on the address, in the corps legislatif, unusual importance.

I am, sir, with great respect, your obedient servant.

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c.

[Translated from l'Epoque, March 9, 1865.]

The Minister of Foreign Affairs in Mexico to the Political Prefects of the Empire.

MEXICO, *January* 18, 1865.

It has come to the knowledge of this department that there are persons exercising the functions of consular agents in the territory of the empire without having received the usual *exequatur* either from the government of his Majesty or from that of the old republic, thus countervening established usage and the law governing this matter.

You will be pleased to invite, with all necessary managements, the persons exercising the above functions within your circonscription to present to you their brevet or their license. You shall give to understand to such as shall not be able to present such that they must henceforth abstain from the exercise of consular functions.

You shall see that these prescriptions be strictly carried out, and shall give an account to this department of the irregularities you may have discovered, or may discover hereafter, in these matters.

RAMIREZ,
Minister, Secretary of State for Foreign Affairs.

This circular derives a particular interest from the recent appointment of a new United States consul at Matamoras, and from the valueless exequatur delivered by Corona to the consular agent of the same country, residing at Mazatlan.

No. 94.

Mr. Seward to Mr. Bigelow.

No. 68.] DEPARTMENT OF STATE,
Washington, March 13, 1865.

SIR: I have received your despatch of the 17th of February, No. 35, and I thank you for your careful comment on the Emperor's speech, which was delivered on the opening of the chambers.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., &c., *Paris.*

No. 95.

Mr. Seward to Mr. Bigelow.

No. 70.] DEPARTMENT OF STATE,
Washington, March 13, 1865.

SIR: I enclose for your information a copy of a despatch which has been received from Mr. Chase, our consul general for Mexico, residing at Tampico, and of my answer thereto. A word of frank explanation may now perhaps be fitly spoken to Mr. Drouyn de Lhuys concerning our consuls and commercial agents in Mexico.

I begin with saying that it is understood that a person authorized by the power now dominant in the capital of Mexico has arrived at New York and solicited an informal interview with me. The advance thus proposed has been declined, in conformity with the settled position of this government, to hold no interview, public or private, with persons coming from any country, other than the agents duly accredited by the authority of that country which is recognized by this government. This government has insisted that the opposite position, which to some extent is held in other States, and under which Mason, Slidell, and Mann, insurgent emissaries from this country, are admitted to in official conferences, is unfriendly and injurious to the United States. Thus we govern ourselves in our intercourse with other states by the principles that we claim *ought to* govern them in their relations with the United States.

We have not, for political reasons, recalled, and we shall not recall, for such reasons, from Mexico, any of our agents who are accredited to the republican government in that country. On the contrary, we have not intended and we do not insist on their being allowed to remain there in the exercise of their functions by the authority which has displaced that government in the capital. If inhibited by these authorities, in places occupied by them, our agents are instructed to desist from their functions, and, if need be, to withdraw from the country. Thus, while abiding events, we shall not be found increasing the confusion of affairs in that unfortunate country. In the course we are thus pursuing in regard to consular and commercial agents, we do not understand that they will, by tolerating this course on our part in Mexico, make any political concessions to us. The matter is a purely commercial one, and has no political significance whatever.

It may be well, on the other hand, that the existing authorities in the city of Mexico should understand through the French government that no exclusion of our agents will have any influence whatever to induce a change of the political attitude towards Mexico which the government of the United States has hitherto maintained.

This government has learned something of the value of concentration of purpose. We are engaged in suppressing a dangerous rebellion, and we are not willing to be unnecessarily diverted from that special duty with any controversy with any party in Mexico or elsewhere concerning affairs in that state.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., &c.

Mr. Chase to Mr. F. W. Seward.

No. 9.] UNITED STATES CONSULATE GENERAL,
Tampico, February 16, 1865.

SIR: I have the honor to enclose herewith a copy of a note (No. 1) from the prefect of this city, and my reply thereto, (No. 2,) by which you will perceive that the imperial minister of foreign relations instructs the prefect to cause the commissions of all consuls to be presented to him, and in the event of non-compliance, the offender is to understand that he is to abstain from all consular privileges.

You will doubtless recollect that I was recognized by President Juarez at San Luis Potosi; and as my commission will be examined in this office to-morrow, I shall withhold that recognition from the ruling authorities here, and I am apprehensive that difficulties may be thrown in my way to prevent the exercise of my consular prerogatives, and I beg that you will be pleased to instruct me as to the proper course to be pursued, so that I may carry out the views of our government should my fears be realized.

I have reason to believe that the whole force of the ministerial despatch upon this subject is aimed at this consulate, in order that the question of consular recognitions may be at once contested between the imperial government of Mexico, and that of the United States.

I have the honor to be, sir, with great esteem and respect, your most obedient servant,

FRANKLIN CHASE.

Hon. FREDERICK W. SEWARD,
Assistant Secretary of State, Washington.

Mr. De la Serna to Mr. Chase.

No. 1.] TAMPICO, *February* 11, 1865.

MR. CONSUL: The political chief of this department, from the city of Victoria, advises this prefecture, in a note dated the 2d instant, as follows:

"His excellency the minister of state and foreign affairs advises this chief political prefecture, under date of 18th January ultimo, what I hereby copy. It has come to the knowledge of the ministry that there are persons in the territory of the empire who are acting as consular agents without having obtained the customary exequatur, neither from his Majesty's government nor from that of the old Mexican republic, before its departure from this capital, contravening, by so doing, the established usages, and violating the laws relative to the matter. Your honor will be pleased to invite, in a very attentive manner, the persons who are exercising those functions in the territory under your command, in order that they may present to you their patent or authorization, and after taking notice of the same you will give an account of its result. Those who do not present these documents, you will make them understand they have to abstain from all consular functions. Your honor will take care of the strict compliance of this ordinance, and you will give an account to this minister of the abuses of this kind which they may have committed or may commit. And I enclose it to you, in order that in that district it may be strictly complied with, giving me an account of its results."

And I have the honor to communicate it to you for your knowledge and the end herein expressed.

God guard you for many years.

The Prefect, JESUS DE LA SERNA.

The Secretary, P. S. GARERA.

Mr. CONSUL GENERAL
Of the United States of the North, Present.

Mr. Chase to Mr. Serna.

No. 2.] UNITED STATES CONSULATE GENERAL,
Tampico, February 13, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 11th instant, in relation to consuls, and, in reply thereto, I have to acquaint you that in the month of December, 1836, I took charge of this consulate, as vice-consul, was promoted by the President to the rank of consul in August, 1842, and to the rank of consul general in the early part of June, 1863, and that the respective commissions are now filed in this consulate, subject to your inspection, should your honor deem such inspection necessary.

I have the honor to be, with the highest consideration, sir, your most obedient servant,

FRANKLIN CHASE.

Hon. JESUS DE LA SERNA,
"Prefecto Publico" of the Southern District of Tamaulipas, &c.

Mr. F. W. Seward to Mr. Chase.

DEPARTMENT OF STATE,
Washington, March 13, 1865.

SIR: Your despatch No. 9 has been received. Your action in reply to inquiries of the prefect of police meets with the approbation of this department. Should it be required, you will exhibit both your commission and exequatur to the proper authorities. Your functions are not political, and consequently you

have nothing to do with the recognition of any government, but must submit to the authorities *de facto* present, and if prohibited from discharging your duties, you will desist, and report at once to this department. In that case, you will be at liberty to remain at your post without exercising your functions, or return to this country, as you may see fit.

I am, sir, your obedient servant,

F. W. SEWARD, *Assistant Secretary.*

FRANKLIN CHASE, Esq.,
United States Consul General, Tampico.

No. 96.

Mr. Bigelow to Mr. Seward.

[Extract.]

No. 55.] LEGATION OF THE UNITED STATES,
Paris, March 14, 1865.

SIR: The sudden death of the Duke de Morny, and the prospect of an early termination of the war in the United States, has almost produced a panic in Paris. At no time since the Italian war have the French people appeared so concerned for the future. The markets have all been depressed, in spite of the efforts to sustain them.

To enable you the better to appreciate the influence and bearing of our late military successes upon public opinion, I enclose extracts from a series of journals, all more or less "officious," and all published at or about the same time. Enclosure No. 1 is an article from the Memorial Diplomatique on the "Monroe Doctrine." After giving an account of that doctrine, as he understands it, the writer proceeds to present additional reasons for feeling no disquietude about the French empire in Mexico, in consequence of unfriendly feelings in the United States.

Enclosure No. 2 is a report of some remarks made in the senate on the 10th by the Marquis de Boissy.

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Enclosure No. 3 is an extract from the reply of Chaix d'Est Auge to the Marquis de Boissy.

Enclosure No. 4 is an extract from an editorial article in the Avenir National of the 12th, commentary upon the article already cited from the Memorial Diplomatique.

Also, extracts in same enclosure from the Patrié and the Presse, and La France, of the 13th.

These papers and proceedings will show that our attitude towards Mexico has been rendered much more disquieting to the people of France as our prospects of domestic peace have improved.

I am, sir, very respectfully, yours, &c.,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD, *Secretary of State.*

[Enclosure No. 1.]

Translation from the Memorial Diplomatique, March 12, 1865, *page* 172.

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Such, disengaged from the exaggeration of party spirit and political passions, is this famous Monroe doctrine that certain journals seek to represent as the sword of Damocles suspended over the crown of Maximilian I.

Put forward in order to protect the sovereign independence of the state of the New World, it cannot be applied to the actual state of things in Mexico without treading under foot the principle of popular sovereignty upon which it rests. Nothing is more natural than that the United States should not be particularly pleased with the re-establishment of monarchy among their neighbors; but that, through pure sympathy for the republican form, they should believe themselves to possess the right to force upon Mexico the return of anarchy, is what simple good sense will ever refuse to admit.

In presence of the incessant approbation of an entire people, in presence of the daily increasing popularity of the imperial couple, the best accredited organs of the American press have been forced to acknowledge that the French expedition, far from having exercised an illegitimate pressure upon public opinion in Mexico, has, on the contrary, served to bring out in a wonderful manner the free expression of the national will.

"The end to be attained," said the Emperor of the French in the letter which he wrote to General Forey on the 3d July, 1862, "is not to force upon the Mexicans a form of government which would be disagreeable to them, but to aid them in their efforts to establish, according to their own wish, a government which may have some chance of stability, and which can insure to France redress for the wrongs of which she complains." And immediately afterwards his Majesty adds:

"We have an interest that the republic of the United States be powerful and prosperous, but we have no interest that it should seize upon the whole of Mexico, control thence the Antilles, as well as South America, and be the sole dispenser of the products of the New World."

Hence we think that if the eventualities be considered not from a point of view purely hypothetical and conjectural, but in their practical and real aspect, we ought to take into account the letter of Napoleon III, which traces out distinctly the attitude of France in case the United States should depart from the Monroe doctrine, to such a point as to arrogate to itself the right of tutelage over a sovereign and independent state, as Mexico placed under the efficacious protection of the French flag.

It was with this object in view that, on the 10th of April, 1864, the convention of Miramar was signed, in the preamble of which is read:

"The government of his Majesty the Emperor of the French and that of his Majesty the Emperor of Mexico, animated by an equal desire to insure the re-establishment of order in Mexico and to consolidate the new empire, have resolved to arrange by a convention the conditions of the stay of the French troops in this country.

"ARTICLE 1. The French troops which are now in Mexico will be reduced as soon as possible to a corps of 25,000 men, including the foreign legion.

"This corps, to protect the interests which have caused the intervention, will remain temporarily in Mexico, under the conditions arranged by the following articles:

"ARTICLE 2. The French troops will evacuate Mexico according as his Majesty the Emperor of Mexico shall be able to organize the troops necessary to replace them.

"ARTICLE 3. The foreign legion in the service of France, composed of 8,000 men, will, nevertheless, still remain for six years in Mexico after all the forces shall have been recalled, conformably to article 2. Dating from this moment, the said legion shall pass into the service and pay of the Mexican government. The Mexican government reserves to itself the faculty of shortening the duration of the employment of the foreign legion in Mexico."

In virtue of the stipulation which we have just cited, an army corps of 25,000 men remains in Mexico to protect the interests which have caused the interven-

tion until the emperor Maximilian shall have organized the forces necessary to replace them.

Should, however, the reorganization of the Mexican army progress sufficiently rapid to render the complete evacuation possible at some not distant future, the foreign legion, which realizes an effective force of 8,000 men, would still continue to unfurl the French flag in Mexico for six whole years after the departure of all the other troops, unless the emperor Maximilian should judge it expedient to shorten the duration of its employment. Thus imposing as seems the force of bayonets of which the United States will be able to dispose if they end the fratricidal war which at present divides them, there is very little fear that they will be disposed to make an attack upon Mexico, where, for eight or ten years still, they are sure to meet the French flag; and should they forget that it is to the generous co-operation of France that they owe their own independence, they could not be ignorant that the government of the Emperor Napoleon III does not compound in a matter of honor and dignity.

When Russia, confiding in the forbearance of which the other great powers had but too long time manifested in regard to her, attempted, in 1853, to fix forever her political preponderance in the east, imperial France did not hesitate an instant to draw the sword to maintain the independence and integrity of the Ottoman empire. Then pessimists were not wanting to spread alarm over the issue of a struggle entered into, at so great a distance, against the formidable colossus of the north. The British cabinet itself appeared at first frightened at the consequences of so perilous an undertaking, and was already disposed to subscribe to the wishes of the Czar; but imperial France having declared that were she obliged to sustain the war alone she would none the less take up the glove which the Autocrat of all the Russias had thrown down to Europe, England found herself drawn, in spite of herself, into the Crimean expedition.

It is principally to this glorious campaign that the government of Napoleon III owes the immense prestige which it now exercises throughout the whole world.

In revealing the power of his country in so striking a manner, he has, at the same time, delivered all Europe from the baleful terror which the Muscovite forces inspired, the exaggeration of which weighed upon her like a nightmare, paralyzing the regular development of liberal institutions in the centre of our continent.

As soon as the note of the notables of Mexico, conferring the crown upon the Archduke Ferdinand Maximilian of Austria, had by the subsequent adhesion of the *ayuntamientos* obtained the legal sanction of the country, the French diplomacy made it its duty to assure itself of the true dispositions of the American cabinet in regard to the new empire of Mexico. President Lincoln and Mr. Seward at Washington, as well as Mr. Dayton at Paris, did not cease to assert the well-defined purpose of the government of the United States to respect the results of the free vote of the Mexican people. They added, that out of regard to France, whose friendly sympathies for the Union were confirmed by her scrupulous neutrality in the war between the north and the south, President Lincoln, in case of re-election, formally promised to enter into diplomatic relations with the government of Maximilian I, if he was generally recognized by the other powers of Europe and America. The best-informed American journals agree in stating that President Lincoln only awaited the date of the renewal of his functions on the 4th of March to recognize officially the new Mexican empire; and this recognition positively decided upon and making a part of the political programme of the government at Washington, will no doubt establish without delay between the two countries relations of perfect understanding and neighborliness.

Never in its discussions has the cabinet of Washington allowed to transpire the slightest allusion to the Monroe doctrine; still less has it from this leading

point made reserves implying any right whatever in the internal affairs of Mexico. In effect the last attempt at conciliation between the confederates and the federals has revealed to us that the initiative tending to prop up the Monroe doctrine does not belong to the government of the north, but to that of the confederates, who, in a common undertaking based upon this doctrine, saw a means of bringing back the opinion of the population of the south to ideas of conciliation and federal unity.

It will be objected, perhaps, that if President Lincoln has preserved up to the present moment a wise and prudent attitude, it was to better cultivate the neutrality of France in the existing struggle between the north and the south, and that nothing could guarantee to us that, once a reconciliation made between the belligerents, he will not break through his promises, shielding himself behind the double pressure of Congress and the public opinion of the country.

The most efficacious guarantee for the ulterior conduct of the government of Washington lies, in our opinion, in the powerful interest which the United States have to entertain amicable relations with France. The notice to terminate the treaty stipulations of 1817 between England and the United States, relative to the *great lakes*, betrays in President Lincoln the presentiment of an inevitable rupture sooner or later between his country and Great Britain.

If peace is concluded between the north and the south, the armies at the disposition of the American Union will not be long in being used against Canada under one pretext or another. It would be the height of folly to irritate England, and at the same time to alienate the sympathies of France. The peace which would come to put an end to the war which the federals and confederates now wage will never be more than a truce. The schism between the north and the south is too deep to be entirely effaced, unless after several generations. Let the great powers coalesce against the north, and allow the south to have a glimpse of the perspective of a complete independence, they will at once find in the secession States an army ready to again take the field against a common enemy. Spain, on her side, will not ask better than to join her fleet to the naval forces of France and England, for more than Mexico, which is covered by the French flag, is the island of Cuba menaced by the United States.

If, after four years of bloody war, the government of Washington has not yet succeeded in subduing the confederates, can it for an instant remain under the delusion that it can make head against the formidable coalition of which France would necessarily become the soul? For in distorting the principle of the Monroe doctrine, in order to launch an army against Mexico, the United States would in consequence affect France as to her honor and as to her interests; as to her honor, because she could not leave unfinished the work which Napoleon III has called the *glorious page* of his reign; as to her interests, because, as Mr. Drouyn de Lhuys says in his despatch, addressed the 17th November, 1863, to the Marquis de Montholon, (page 182 of the Yellow Book,) the end of the expedition to Mexico would not be completely attained if it should not have for effect to create between two empires a close solidarity of interests.

LE CHEVALIER L. DEBRANEZ DE SOLDAPENNA.

[Enclosure No. 2.—Extracts from the debate in the senate, March 10, 1865.]

THE MARQUIS DE BOISSY. * * * * * *

I return to the question of intervention. We intervene in China, and we are about to return. But I think we had better first return from Mexico. There are two large black points in the horizon—Mexico and Rome. With respect to Mexico, this is the sentimental wish I form. I wish that the American war may not end, but continue forever, even to the complete extermination of the

contending parties, if necessary. If the war should unfortunately come to an end, our army would be taken prisoner. (Protestations on all sides.)

BARON DE HUCKERIN. Such language cannot be used in such an assembly as the senate. (Adhesion.)

THE MARQUIS DE BOISSY. Why, you would have to deal with an army of five hundred thousand or six hundred thousand scoundrels. (Murmurs.)

THE PRESIDENT. Your suppositions are injurious to our soldiers, and the senate expresses its feelings by its murmurs.

THE MARQUIS DE BOISSY. I do not think so. (Affirmative signs.)

THE PRESIDENT. You see, M. le Marquis, that the senate does not agree with you.

THE MARQUIS DE BOISSY. Nevertheless, it is true that our army reduced to a total——(Interruption and cries of Question! Question!)

THE PRESIDENT. The murmurs of the senate are the best reply to your observations.

THE MARQUIS DE BOISSY. Well, then, be it so. We shall triumph—twenty thousand men against five hundred thousand or six hundred thousand. But how much will that cost us? (Enough. enough!) Let us turn our eyes, then, to China.

[Enclosure No. 3.]

The Marquis de Boissy was followed by Chaix d'Est Auge.

The following is an extract from the reply of Chaix d'Est Auge to the Marquis de Boissy, in the senate, March 10, 1865:

* * * The speaker has trenched upon a number of questions, into which I shall hardly be expected to follow him. But the convention and the affairs of Mexico are two important questions every way worthy of attention. Those questions will be treated by other speakers, and this is not the moment to go very fully into them. Of the convention I beg leave not to say a single word. As to Mexico, I have at present not much to say. The Marquis de Boissy calls himself the friend of humanity; yet, when speaking of the fratricidal war which is ravaging the United States of America, he expressed a wish that the struggle, impious in its nature and its results, might never cease. That is a wish which I repel in the strongest manner. And if the interests of my country required the continuation of this conflict, I could never, without the most heartfelt repugnance, immolate humanity on the altar of my country. M. de Boissy fears that if the United States should become once more united, that our army would be compromised, and possibly soon be made prisoners of war. Let him be reassured the United States have too much good sense and reason to enter into such a war; they will not traverse deserts to add other provinces to provinces already too numerous. It is not because they are exhausted, but from a well-understood feeling as to their own interest that they would not think of attacking us in Mexico. The same reasons prevailed with England when she declined to fortify Quebec, saying there was no reason to fear, and that Quebec was not threatened. I will briefly reply on a point to which I adverted last year, and in respect of which I thought I had given the Marquis de Boissy himself satisfactory explanation. The customs receipts of Vera Cruz, before our expedition to Mexico, were engaged to satisfy the claims of England, France, and Spain, and were divided monthly between them. On taking possession of that port, could we say to England and Spain, "the treaties are null and void; we tear them up and scatter them to the winds?" No; we regarded them as sacred, and respecting them was not giving way to England, but honorably fulfilling a contract which bore the signature of France.

[Enclosure No. 4.—Extract from "L'Avenir National," Sunday, March 12, 1865.]

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The Memorial Diplomatique exerts itself to demonstrate that the Monroe doctrine is in no way applicable to the present situation. "The system," it says, "that President Monroe intended to combat was no other than that of legitimacy." This was, in effect, we concede, the first thought of Monroe at the moment when Spain thought of reconquering her former colonies. We have already said that the declaration of Monroe was made at the instigation of Canning, who was alarmed at the tendencies of the congress of Verona.

But now the Americans give to the principle a more extended interpretation. They see only in the words of Monroe the passage which is the solely important one for them: "We owe it to our good faith, and to the amicable relations which exist between the allied powers and the United States, to declare that we would consider any attempt on their part to extend their system to any part of this hemisphere as dangerous for our tranquillity and our security." This is the political evangel of the Americans, and one can foresee that upon the day when the south, at the end of its resources, will be obliged to submit, it will take as a pretext for reconciliation the necessary application of the Monroe doctrine.

We scarcely believe, with M. de Boissy, that as soon as peace is concluded there will be an invasion of Mexico of five hundred thousand to six hundred thousand *worthless scamps*. But this is an eventuality against which it would be prudent to guard.

It is wisdom in the French government to avoid a useless danger in foreign quarters. The convention with Maximilian of the 10th April, 1864, says well that two thousand five hundred men, *including the foreign legion*, will remain temporarily in Mexico; but no minimum of sojourn is stipulated for—except for the foreign legion, which is to remain for six years—so all the other troops may be recalled from the present moment. We ought to wish that this may be at the soonest period possible.

Nevertheless, the Memorial Diplomatique, so reassuring in whatever concerns Mexico, is less incredulous in what regards the British possessions. "If peace," says it, "be concluded between the north and the south, the disposable armies of the American Union will not delay, under one pretext or another, to be used against Canada." What prevision is this which makes the Americans march rather towards the north than towards the south? We do not wish, like the Memorial Diplomatique, to give ourselves airs of prophecy, but we repeat that we would like for more than one reason to see our troops return from Mexico.

[Enclosure No. 4.—Extracts translated from La France, (Reone financiere,) March 13, 1865.]

Events have occurred this week which have reacted on the financial as well as on the political world. The illness and death of M. de Morny produced for a while a legitimate sensation among the financial men accustomed to identify the public credit with the statesmen whose name is intimately connected with the institutions of the country. But this sensation could not be lasting; the present state of inactivity existed at the Bourse previous to the painful event which has so justly occupied public attention, and it will doubtless continue to exist after this sensation shall have passed away.

Attempts are also made to influence the market under pretence of the various vicissitudes of the war going on in America between the north and south; but the confederates are yet far from being conquered, and the fears expressed in relation to Mexico, in case of peace being restored in the United States, are singularly premature.

Why not ascribe the present situation to its general and real causes, instead of stopping at mere secondary considerations? The cause may be summed up in one word—distrust. How can those who have for so long a time sown the seeds of distrust wonder that they should now bear fruits? Every enterprise or institution of credit has been attacked, and we cannot be surprised that the public, having become suspicious of them, dares no longer venture upon a ground whose unsteadiness has been so often denounced.

[Continuation of Enclosure No. 4.—Translated from the Memorial Diplomatique, March 13, 1865.]

Besides the "Credit Mobilier," and its forthcoming dividend, which continues to be much talked about, the financial world appears greatly preoccupied concerning the future of the Mexican empire, and the consequences which the approaching cessation of hostilities between the northern and the southern armies may have for that country.

The warlike tendencies evinced some time ago by certain members of the United States Senate were but disconnected facts, for which the government at Washington could in nowise be considered responsible. The initiative of the resolution adopted by that eminently deliberative assembly is not of a nature to justify the fear that, as some ceaselessly repeat it in the market, as soon as the fratricidal war, which has for four years desolated that country [shall cease,] the Mexican empire will become, in the name of the Monroe doctrine, the aim of these tumultuous hosts, condemned by peace to an inactivity which would all at once become dangerous for Europe.

Shall the United States, after being reconstructed by peace, not have wounds enough of their own to bind up before attempting to quarrel with their neighbors? An empty treasury, a country laid waste, and a decimated population, are these not interior enemies with whom they shall also have to contend?

The work of regeneration so happily commenced and carried on by the emperor Maximilian, with as much firmness as success, may well be considered as a sure proof of the liberal views of civilization and progress which have so far inspired all the acts of the new Mexican empire. In our opinion the edicts of the emperor are in no ways inferior in reality to the principles of pretended equality of the United States of America.

Indeed, the ceaseless solicitude of the newly elected sovereign for the welfare of this people becomes every day more manifest in his incessant labors. Creation of railroad companies, contracts for marine transportation on the Pacific, everywhere, in short, does the emperor seek to simultaneously infuse activity and life into that country so favored by nature.

To demonstrate once more the value of these assertions, we give here the principal condition of a contract between the government of his Imperial Majesty, Maximilian I, and Mr. Edward Gautherin, ship-owner, having the contract for the Imperial Mexican Express Company:

The company is to be Mexican: foreigners becoming members shall have to renounce the rights they may possess as such.

The vessels on the Gulf lines shall carry the Mexican flag, and be naturalized according to the laws already in force.

The steamers of the Imperial Mexican Express shall run on the four lines of Vera Cruz to New Orleans, Vera Cruz to Havana, Vera Cruz to Campeachy, and along the whole coast from Taxpam to Coatzacoalcos.

The ships of the company shall be exempt from port and light-house duties.

The company receives from the government of his Imperial Majesty the monopoly for the construction of jetties and breakwaters in the stopping ports of its steamers, and is authorized to levy upon commerce a transit or storage duty on all goods shipped from or landed on these jetties or breakwaters.

This duty shall be equivalent to eighty centimes per ton for ordinary goods, and eighty centimes per two hundred pounds for such merchandise as iron, lead, rails, steam-engines, minerals, &c.

The government shall receive from the company twenty per cent. of the duties levied by it. The receipt of these duties shall be registered in two books, one of which shall remain in the office of the company and the other at the office of the custom-house.

The vessels of the company shall, on their lines, transport the employés of the preventive service and the mails. Besides the usual postage, the post office administration will take additional postage on the company's account, which it shall pay to it at the time of embarking the mail-bags; and the amount due to the company shall vary according to the net weight of the bags, and the nature of their contents.

Thus, for the mere transportation of letters the government shall pay one real per half ounce weight, being the price of a single letter, from one point to another of the Gulf of Mexico. For letters to Havana the company shall receive two reals.

For carrying newspapers, pamphlets, and printed matter, the company shall charge two reals per *arrobe*.

The company engages to build its workshops, building-docks, storehouses and yards on the grounds designated by his Imperial Majesty's government. The port of Vera Cruz is the point momentarily chosen as the centre of the lines of the Imperial Mexican Express steamers.

The company shall, as much as possible, employ the inhabitants of the country, as also the materials it furnishes, such as wood, copper, iron, coal, &c.

The grant is made for twenty-one years, and to the exclusion of any other Mexican company.

MAXIMILIAN.

CHAPULTEPEC, *January* 28, 1865.

[Extract from La Presse, Monday, March 13, 1865.]

* * * * * * * * *

Money is abundant. The proof is seen by the state of the bank and by its rate of discount, which it has been obliged to reduce to 3½ per cent.; but this money does not want to be employed.

This feeling of distrust which the capital evidences is not peculiar to France; the English market proves it by the continuance of its feebleness. One cannot, then, without injustice attribute to the situation of a place, nor to noisily rumored proceedings, the dearth of our business and the weakness of our market. European politics leaves us in an absolute repose. From the American side it is not the same. It is a sad thing to say, but we fear for our cash boxes, that peace may be made in America. The largest thorn that we have in our foot is, incontestably, the Mexican affair, which trammels our finances, and which causes lively apprehensions for the future. The equilibrium of our budget will feel for a long time, we think, the Mexican expedition. It allows to float incessantly the fear of a loan, which may be retarded by the aid of treasury means at the disposal of the minister, but the bankers think that it cannot be avoided. Italy herself threatens us with a loan.

[From La Patrie, March 13.]

Letters from New York up to the 25th of February, brought out by the North American, arrived yesterday in London.

They contain no further military news, but there has been received in New York the text of an address of Juarez to the Mexicans, in which he says:

"Faithful to my duty and to my conscience, I shall devote all my energy to the national defence, with the assistance and co-operation of the Mexican flag." He denounces the emperor Maximilian as a usurper enslaving a free nation.

Houston papers publish a correspondence between the confederate Colonel Cyron and General Lopez, commanding the imperial troops on the Rio Grande. Cyron informs Lopez that the confederate government desires to cultivate friendly relations with the Mexican government. Lopez in return declares his sympathies for the southern cause Named commander by emperor Maximilian, he says that the sons of the confederacy can rely on the complete security of their persons and interests, and on the fullest hospitality. He shall permit no expeditions to be fitted out against the confederates.

Houston papers also report that Matamoras has ceased to be a free port.

[From La Patrie, March 13.]

However, in spite of all the elements tending to improve the condition of the market, the peaceful news from America has been made use of by the parties wishing to depreciate the stocks, who multiplied their offers, and sought to frighten their opponents by hinting at the complications which, according to them, might arise from a cessation of hostilities in the United States. From that moment the upward tendency of prices was not only completely paralyzed, but a retrograding tendency prevailed, and most stocks lost the advance they had previously obtained; some even descending below the previous fortnight's quotation.

No. 97.

Mr. Bigelow to Mr. Seward.

No. 69.] LEGATION OF THE UNITED STATES,
Paris, March 17, 1865.

SIR: Enclosed you will find a memorandum of a conversation which I had the honor to hold with his excellency Mr. Drouyn de Lhuys, on the 9th instant, in reference to the forcible surrender by General Mejia of refugees from the rebel army, referred to in your despatch No. 49.

The original of this memorandum was left yesterday with his excellency the minister of foreign affairs.

I have the honor to be, sir, your very obedient servant,

JOHN BIGELOW,
Chargé d'Affaires.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c.

[Memorandum.]

LEGATION OF THE UNITED STATES,
March 15, 1865.

The undersigned, chargé d'affaires of the United States, had the honor to submit verbally to his excellency Mr. Drouyn de Lhuys, minister of foreign affairs, the following statement on the 9th instant:

It is stated upon official authority that General Mejia, commanding the Mejia division of the French army at Matamoras, had arrested between twenty and thirty refugees from the rebel army in Texas; conducted them, under the guard

of a file of soldiers, to the banks of the Rio Grande and delivered them into the hands of armed enemies of the United States. The pretext assigned, I am told by General Mejia, for this procedure, was that they were offenders against the laws of the confederacy, and, therefore, liable to extradition. If so, General Mejia appears not to have been aware that the alleged criminals had a right to a fair trial and conviction, which was denied them, before they could be surrendered to any government, and that he had then authority to surrender them only upon the suit of a government recognized by the Emperor of France, and to which the right of extradition had been conceded by treaty.

The refugees in question were seized by Mexican soldiers, under the orders of General Mejia, and delivered without any trial into the hands of an armed band of conspirators from Texas, who represented no lawful government, and who could not, therefore, have any political *status* in any Mexican tribunal, civil or military.

The undersigned, while appreciating the difficulty of enforcing neutrality along the line which divides Texas from Mexico, where the temptations to violate it are so numerous, expressed the hope and expectation of his government that the government of France would not permit the conduct of General Mejia to pass without such instructions as would prevent the recurrence of a proceeding too liable to disturb the friendly relations of the two countries.

The undersigned availed himself of the same occasion to express to his excellency the minister of foreign affairs the regret of his government at the exceptionable tone of the correspondence, addressed by the United States consul at Matamoras to General Mejia, in reference to the surrender of these refugees, and to state that orders relieving the incumbent from his official charge were on their way to him at the time the correspondence was passing.

His excellency Mr. Drouyn de Lhuys stated, in reply to the undersigned, that he had received no information whatever upon the subject referred to by the undersigned, save what the undersigned had communicated; that the subject should be taken into respectful consideration, and that the officers of the imperial government in Mexico should be instructed to preserve a rigorous neutrality.

The undersigned avails himself of this occasion to renew to his excellency the minister of foreign affairs the assurances of his most distinguished consideration.

JOHN BIGELOW,
Chargé d'Affaires.

No. 98.

Mr. Seward to Mr. Bigelow.

[Extract.]

No. 71.] DEPARTMENT OF STATE,
Washington, March 17, 1865.

SIR: I have now to recur to some suggestions contained in your despatch No. 29, the receipt of which I have already acknowledged, and also to acknowledge, in due form, the receipt of your despatch of February 14, No. 30.

The burden of these matters is an uneasy state of mind in the Emperor's government concerning our private relations with France, as affected by the war in Mexico.

This government foresaw the present embarrassment, and expressed itself frankly to the imperial government before it intervened in Mexico. It is that embarrassment which now affects the political situation in regard to that country. Even if it were necessary, on our part, to labor for its removal, the traditions and sympathies of a whole continent could not be uprooted by the exercise of any

national authority, and especially could it not be done by a government that is so purely democratic as ours. The Emperor's persistence implies that he yet believes to be certain what we have constantly told him that the people of the United States, reasoning upon preconceived sentiments and national principles, cannot even apprehend to be possible—namely, that a new European monarchical system can and ought to be permanently established on the American continent, and in territory bordering on this republic. It would seem that all parties must abide the trial of the experiment, of which trial it will be confessed that the people of Mexico must ultimately be the arbiters.

This government has not interfered—it does not propose to interfere—in that trial. It firmly repels foreign intervention here, and looks with disfavor upon it anywhere. Therefore, for us to intervene in Mexico would be only to reverse our own principles, and to adopt in regard to that country the very policy which in any case we disallow.

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I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., &c., *Paris.*

No. 99.

Mr. Seward to Mr. Bigelow.

No. 77.] DEPARTMENT OF STATE,
Washington, March 23, 1865.

SIR: I have received your despatch of March 6, No. 44.

Unemployed politicians can often raise vehement disputes upon mere surmises or accidents, as they can sometimes prohibit all debate upon the most questionable measures.

The French government can very well understand that our delay in filling the legation at Paris was involuntary, because that government has really found the appointment of a minister here was a duty attended by some embarrassment.

I thank you for the information you gave me, concerning the negotiations of Maximilian at Rome for a concordat.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq, &c.

No. 100.

Mr. Seward to Mr. Bigelow.

No 86.] DEPARTMENT OF STATE,
Washington, March 27, 1865.

SIR: Your despatch of the 10th of March, No. 52, which is accompanied by a translation of a circular issued by the minister of foreign affairs of the Archduke Maximilian, relative to consuls in Mexico who have no exequaturs from the imperial government, has been received. I have already sufficiently explained our position on this subject.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., &c.

No. 101.

Mr. Seward to Mr. Bigelow.

No. 89.] DEPARTMENT OF STATE,
Washington, March 27, 1865.

SIR: I have to acknowledge the receipt of your despatch of the 10th instant, No. 50, enclosing a copy of your note of the 9th instant to Mr. Drouyn de Lhuys, in regard to the capture of the United States steamer Ark by Texan insurgents in Mexican waters, and in reply to inform you that your note is approved.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., &c.

No. 102.

Mr. Seward to Mr. Bigelow.

No. 94.] DEPARTMENT OF STATE,
Washington, March 28, 1865.

SIR: Your despatch of the 14th of March, No. 55, has been received, and I have read with much interest the papers which accompany it, and which illustrate the disquietude now prevailing in Paris.

Fortunately, I have in my despatch of 15th instant, No. 71, explained to you the views and sentiments which our military and political situation suggests. We want our national rights. We are not looking for ulterior national advantages, or aggrandizement, much less for occasions for retaliating in other forms of hostility against foreign states. We are not propagandists, although we are consistent in our political convictions.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., &c.

No. 103.

Mr. Bigelow to Mr. Seward.

[With two enclosures.]

No. 66.] LEGATION OF THE UNITED STATES,
Paris, March 28, 1865.

SIR: I have received a "note verbale" from his excellency Drouyn de Lhuys, in reply to my note of the 9th instant, and in defence of the seizure of one hundred casks of powder in the gulf of La Paz, on board the United States schooner W. L. Richardson, by a French vessel-of-war. I enclose a copy and translation.

And am, sir, with great respect, your obedient servant,

JOHN BIGELOW,
United States Chargé d'Affaires.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c.

Verbal note.

[Translation.]

MARCH, 1865.

The minister of foreign affairs has had the honor of receiving the note addressed to him by M. the chargé d'affaires of the United States, on the 9th instant, concerning one hundred casks of powder seized in the gulf of La Paz, on board of the United States schooner Wm. L. Richardson, by a vessel of the French division, on the Pacific station. The information received direct by the department of foreign affairs on this subject leaves no doubt that that seizure was made under the rule explained last year to Mr. Dayton. Circumstances were as follows:

A certain number of merchants at San Francisco had asked, through the medium of the legation of the United States, to be authorized to send every month to the ports of Chayatlan and La Paz powder destined for the working of the mines at Charique. Upon reflection the imperial government decided that it was the less disposed to depart from the rule, that so long as there is fighting going on at any point, it must consider any invoice of powder shipped to that point as essentially a contraband of war, inasmuch as it had ascertained that such operations had already been carried on for the benefit of its adversaries, from Mexican points on the Pacific coast. An answer to this effect was therefore returned to Mr. Dayton in May last by a verbal note, which is doubtless still to be found among the records of the legation.

The schooner Wm. L. Richardson having taken a cargo of powder to the port of La Paz, fell, necessarily, under the provisions of the rule recalled above, and there was all the less reason to depart from it, as reliable information had denounced this fresh invoice of powder to the French authorities as destined for the "guerillas" whom M. Veza was at the time endeavoring to raise in the States of Sonora and Sinaloa.

No. 104.

Mr. Seward to Mr. Bigelow.

No. 102.] DEPARTMENT OF STATE, *Washington, April* 4, 1865.

SIR: Your despatch of the 17th ultimo, No. 59, together with its accompanying memorandum of a conversation that you had with Mr Drouyn de Lhuys, upon the subject of the forcible surrender, by General Mejia, of refugees from the insurgent army to the armed enemies of the United States, has been received, and your proceedings are approved.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., &c.

No. 105.

Mr. Bigelow to Mr. Seward.

[With two enclosures.]

No. 79.] LEGATION OF THE UNITED STATES,
Paris, April 18, 1865.

SIR: I have the honor to enclose a copy and a translation of a "*note verbale*," received from his excellency the minister of foreign affairs, in relation to the seizure of the United States mail at Acapulco by the French authorities.

I am, sir, with great respect, your very obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD, *Secretary of State, &c.*

[Enclosure No. 2.—Translation.]

Last November Mr. Dayton communicated to the Emperor's minister of foreign affairs a despatch in which the United States consul at Acapulco complained that the commander of the French forces in that city had ordered the seizure of the mail addressed to that consul. Positive information since received on the subject by the imperial government enables it to present this incident in its true light. It is necessary to state, in the first place, the exact position occupied by Mr. Ely, then consul of the United States, after the French troops had taken possession of Acapulco. That agent, by abstaining from any visit or official communication in writing asserting his quality to Admiral Bonet upon the latter's arrival, authorized the supposition that his exequatur having been granted not by Mexico, but by the local government of the State of Guerrero, he considered his mission to be interrupted by the new state of things. Admiral Bonet, therefore, considered Mr. Ely as having no longer any attributions beyond those of a purely commercial agent. Such was also the opinion of the commander of the United States sloop Narragansett, as evidenced in his search for a deserter from that vessel, as well as the opinion of Admiral Bells himself. This view of the subject appears to be also confirmed by the fact of the federal government giving only the title of commercial agent to the person appointed since as the successor of Mr. Ely. Here, now, are the facts concerning the seizure of United States mails as they occurred:

Acapulco, previous to its being taken possession of by the French forces, had no regularly organized postal service. Letters from abroad were brought there by the packets of the Panama Steamship Mail Company in three separate bags. The one addressed to the company's agent contained letters relative to the affairs of that concern; the second, the mails intended to go on further; and the third, the correspondence for Acapulco and the interior of Mexico. This latter bag, for want of a regular postal agent, was addressed to the *American consul*, where the letters were delivered to the parties concerned and the postage collected. Complaints had occurred about deficiencies in the system of delivery of private letters, but, aside from that consideration, it was impossible to permit this state of things to continue from the moment that Acapulco was to follow the system adopted everywhere else by the Mexican government. Where taxes were to be levied it evidently belonged to a Mexican administration only to fulfil that office. The officer commanding at Acapulco had, therefore, decided on appointing a temporary postmaster, and his choice for this office fell upon the vice-consul of France, M. Dupuy. This gentleman, therefore, upon the arrival of the packet from San Francisco, on the 30th of September, caused the three mail bags, previously mentioned, to be delivered to himself. The one addressed to the *American consul* was open, and its contents proved that, as we have already stated, it was not a mail addressed by the government of the United States to their consul at Acapulco, but simply an ordinary letter bag. This decision, however, called forth some opposition at the hands of the commander of the federal sloop Cyane, who, whilst acknowledging that Mr. Ely no longer had any right to demand that the bag addressed to the *American consul* should be delivered to him, asked that it should be given to himself, who, as an officer of the United States navy, was the legal representative of his government. After explanations on the subject had passed between the commander of the Cyane and the commander of the French naval forces, these two officers, equally desirous of maintaining the friendly relations existing between the navies of the two countries, agreed that the bag should be delivered to the post office of Acapulco, and there opened in the presence of an officer of the United States sloop, who would thus ascertain that it was only a public mail, and not an official correspondence of the government of the United States.

This question had thus been disposed of in the most satisfactory manner,

when subsequent events prevented this arrangement being carried out. M. Dupuy, the postmaster appointed, having seen fit to resign that office, and the evacuation of Acapulco having been resolved upon, things were put back in their former position. This, nevertheless, shows that the measures adopted at the time when the French forces took possession of Acapulco were fully justified both by the irregularity of the process of delivery of private correspondence and by the absence of any real right of Mr. Ely to demand that the system should be continued.

PARIS, *April* 12, 1865.

No. 106.

Mr. Hunter to Mr. Bigelow.

No. 116.] DEPARTMENT OF STATE,
Washington, April 21, 1865.

SIR: Your despatch of the 28th ultimo, together with its accompaniments, upon the subject of the seizure of one hundred casks of powder, in the Gulf of La Paz, on board the schooner William L. Richardson, by a French vessel-of-war, has been received.

I am, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

JOHN BIGELOW, Esq., *&c.*

No. 107.

Mr. Hunter to Mr. Bigelow.

No. 134.] DEPARTMENT OF STATE,
Washington, May 6, 1865.

SIR: Your despatch of the 18th ultimo, No. 79, and its enclosures, upon the subject of the seizure of the United States mail at Acapulco by the French authorities, have been received.

I am, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

JOHN BIGELOW, Esq., *&c., Paris.*

No. 108.

Mr. Bigelow to Mr. Seward.

No. 107.] UNITED STATES LEGATION,
Paris, May 26, 1865.

SIR: I fear our government will not succeed in giving entire satisfaction to the ruling classes on this side of the Atlantic, whatever we may do. They seemed very much dissatisfied, at the commencement of the war, that our armies were not more destructive; when they became more destructive, the same parties censured us for bloodthirstiness and insensibility to the blessings of peace. Now that peace has come, and we have reason to count upon a general jubilee in Europe, there appears to be more discontent than ever. The great grievances at present are, first, President Johnson's proclamation offering a reward for the delivery of Davis to the officers of justice; second, the reported emigration of

discharged soldiers to Mexico; third, the trial of Booth's accomplices with closed doors.

The readiness with which all these prestiges are seized to weaken the impression which our unexpected triumph over what were deemed insurmountable embarrassments has a tendency to produce, shows how great is the importance attached here to our example.

The proclamation putting a price on Davis's head will be generally condemned by the Latin race, who are so accustomed to see a price put upon the heads of their most meritorious citizens that they feel an instinctive sympathy for any one who wears that flattering penalty. I think nothing that has happened during our war has produced so unpleasant an effect upon our friends here, though their impressions always yield to proper explanations when there is an opportunity of making them.

In regard to Mexico, the impression produced by the recent news from the United States has amounted to a panic. Some military successes of the liberals in Mexico are associated in the public mind with the emigration schemes advertised in the New York and Washington papers, which are supposed to respond to a public sentiment beyond the control of the government. The absence of the Emperor at the moment aggravates the alarm, and leaves the community a prey to rumors of the most disturbing character.

I dined with Mr. Fould on Tuesday evening. He sought several opportunities to talk with me of Mexican affairs. I assured him that he had nothing to fear from the United States; that the formidable enemies of the Archduke Maximilian were "those of his own household"—the Mexicans. He expressed a doubt whether our government and its friends would be strong enough to maintain our neutrality. I told him that so far as I could judge, there were not, nor were there likely to be, two considerable parties on our Mexican policy; that whatever the government decided to do would be pretty universally accepted by the people, because it would be likely to reflect their deliberate wishes, one of which I felt sure was to preserve friendly relations with France. He said he thought that the best way to remove all difficulty between the three countries, and to resolve all embarrassing questions, was for us to recognize the new government. This view he enforced with a few obvious remarks. I heard him through, and then remarked that he had opened a question which would require me, for its discussion, to go further back in the history of our respective countries than was possible on such a festive occasion, but I felt prepared to say to him that but for the unfriendly tone of the official press, and the abounding evidence of a willingness, if not a desire, on the part of influential classes in France to see our republic weakened by a permanent disunion, the Emperor would probably have experienced no difficulty in coming early to a satisfactory understanding with our government about Mexico. Unhappily, the impression had got abroad among our people that the Emperor had undertaken to build up an empire in Mexico upon the ruins of our republic, and it would take yet some time and some substantial proofs of good feeling on his part to remove this impression. His excellency arose from his seat at this remark, which I was preparing to elaborate a little, and said that was a subject that would take us too far to discuss on that occasion; and after a few more words our interview ended. It ended rather abruptly, because Mr. Fould is entirely of my opinion; he has been opposed from the outset to this expedition. He feels that he is gradually sinking, officially, under the weight of its burdens; and having no response to make to the view I presented, he did not wish to be betrayed into admissions unbecoming his position; at least such was my impression.

He introduced me, in the course of the evening, to Baron Dussin the elder, who is a very important arm of the government, though now eighty-five years of age, and whose sympathies have been rather with the insurgents than with *the* government during the late rebellion. He also showed great solicitude about

Mexico, and seemed greatly relieved by my assurance that, regardless of the example set by other nations, and faithful to all our traditions, we should make our people, if any were otherwise disposed, respect our neutral obligations.

I mention these facts to show that the anxiety which is reflected by the press here and in England is not exaggerated, and as the foundation for a suggestion which I think it my duty to make to you. It is that, as far as possible, we avoid giving any pretext to this government upon which public opinion can be rallied against us. It is in a critical situation, and, I think, on the eve of a very important if not desperate step in reference to Mexico. Something must be done, and speedily. It is important that we neither do nor permit anything that will relieve the situation at our expense, for we now need all the good feeling in Europe that we can possibly inspire to repair the waste of our war. If we alienate France, or even establish an unfriendly feeling here, it will poison all the official journalism of Europe towards us, notwithstanding the universally acknowledged folly of the Mexican expedition. They all have less affection for the Monroe doctrine than they have for France or Mexico. I hope, therefore, that our government will protect itself by all dignified means from any suspicion of conniving at the military schemes, if there are any maturing in the United States, against Mexico, and show the old countries of Europe to how much better use we can put them than by fighting them. I would hardly trouble you with a suggestion apparently so superfluous as this, if I did not feel that, where men are in desperate circumstances, they may do desperate things, and sovereigns are but men.

I am, sir, with great respect, your very obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

No. 109.

Mr. Hunter to Mr. Bigelow.

DEPARTMENT OF STATE,
Washington, June 5, 1865.

MY DEAR SIR: In compliance with the request of Mr. Seward, I have to acknowledge the receipt of your letter of the 19th of April last, relative to the support reported to be extended by the Emperor to Gwin, in Mexico, and the character of the new loan in aid of that country. In reply, I am directed to thank you for the interesting information.

I am, my dear sir, very faithfully, yours,

W. HUNTER.

JOHN BIGELOW, Esq., &c.

No. 110.

Mr. Seward to Mr. Bigelow.

No. 167.] DEPARTMENT OF STATE,
Washington, June 12, 1865.

SIR: Your despatch of May 26, No. 107, has been received. It treats only of familiar questions; but it treats of these with special earnestness. For this reason, I reply in this communication to your suggestions, although I have considered the same subject so recently as the 3d of June, when I transmitted to you the views of the President.

You inform me that the proclamation putting a price on Davis's head has

produced an unpleasant effect upon the friends of the United States, and that it is particularly condemned by the Latin race. Treason and the raising of civil war, in some European states, are, for obvious reasons, regarded by mankind as venial offences. In the United States they are looked upon with far greater severity, for reasons which it is not necessary that I should now explain. With such severity crimes of the present insurgents in the United States are regarded by the government and by the loyal portion of the people of this country. The time, indeed, is rapidly coming on when these crimes will be lamented with greater sincerity, and condemned with greater earnestness, in the region which civil war has left desolate, than any political crime or casualty which has recently occurred in Europe has been lamented or condemned on that continent. The United States are not in a temper favorable to the making of apologies or explanations to European statesmen and politicians for matters which do not affect foreign nations, and which relate exclusively to our domestic affairs. I have, therefore, to request that you will make no explanations or apology for the action which this government has hitherto pursued, and, as events shall transpire, may be found to be pursuing, in relation to rebels, who, without cause or necessity or excuse, have not only spread desolation and death throughout a large portion of the United States, but have employed energies of surpassing strength in the effort to invoke the intervention of foreign powers to make that desolation more ruinous, as well as perpetual. I state, however, for your own information, that the executive department has taken, as yet, no definitive action with regard to judicial proceedings against Jefferson Davis. Other subjects of greater urgency have, thus far, engaged its attention.

If it be true, as you have conceived, that France is likely to adopt some measure of hostility towards the United States on the ground of real or expected political complications in Mexico, the United States must wait the shock according to their ability. It is already known to the government of France that the United States are not prepared to recognize a monarchical and European power in Mexico, which is yet engaged in war with a domestic republican government, and a portion of the Mexican people; but it must be acknowledged, on the other hand, that the United States have, from the first appearance of the shadow of that foreign domination in Mexico until its present stage of administration, expressed its views to France upon the subject in a perfectly direct, frank, and friendly manner. The sentiments of the people of the United States in regard to affairs in Mexico, which have been so often expressed in the manner to which I have referred, are natural and inextinguishable. It would be a new event in history if one nation can give cause of offence to another nation by declining to become the ally of that nation in a war for the overthrow of a state friendly to the power so refusing to become an ally. We shall not believe, until we have convincing proof, that France is to invade the United States on such a pretext. It is to this government a source of the highest satisfaction that, during the three years that the war has been carried on between France and the republic of Mexico, the United States have maintained the strict line of forbearance and neutrality which their relations to the several belligerent parties dictated. From time to time the French authorities have given notice to the United States of apprehended violations of neutrality by American citizens, and the government of the United States have promptly interposed and prevented the intrusions menaced. Here the United States must stand. Beyond this they cannot go. They desire peace, and would cheerfully restore their traditional relations with France. It will remain for France to say whether for these relations shall be substituted an alienation whose consequences might involve an arrest of the march of civilization throughout the world.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., &c.

No. 111.

Mr. Bigelow to Mr. Seward.

[With one enclosure.]

No. 117.] LEGATION OF THE UNITED STATES,
Paris, June 13, 1865.

SIR: A statement of the minister secretary of state a few days since in the corps legislatif, and an article in the Moniteur of the 10th instant, have compelled me to break the silence I intended to have kept until I heard from you in reference to the grounds upon which the minister of foreign affairs placed his withdrawal of the proclamation of neutrality of June, 1865. I transmit herewith a copy of a note which I addressed this morning to his excellency the minister of foreign affairs, which will sufficiently explain itself and my motives for not permitting the ministerial statements cited in it to pass in silence.

I am, sir, with great respect, your obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD, *Secretary of State.*

[Enclosure.]

Mr. Bigelow to Mr. Drouyn de Lhuys.

LEGATION OF THE UNITED STATES,
Paris, June 12, 1865.

SIR: In the official report of a speech made by his excellency the minister of state on the 9th instant, I find an erroneous statement, which, to prevent any possible misapprehension between your excellency and myself, I hasten to bring to your notice.

After speaking of the declarations made at Boston by General Rosecrans in reference to the alleged recruiting of American soldiers for the Mexican army, M. Rouher is reported to have said: "Pendant que ces declarations se faisaient à Washington et à New York, elles recevaient ici leur sanction et leur consecration formelle; le minister des Etats Unis se presentait a notre ministre des affaires ètrangères et lui disait: Sans doute nous ne voyous pas d'un œil favorable une monarchie s'etablier au Mexico. Sans doute nous preferons les formes republicaines; mais ne respectons la volontè des peoples, et des nations; nous comprenons que le Mexique, qui á ètà longtemps regi par la forme monarchique veuille revenir à cet ètat de choses; il nous n'irons pas faire la guerre pour une question de forme de gouvernement."

[Translation.]

"While these declarations were being made at Washington and New York, they received here their sanction and formal consecration. The minister of the United States presented himself also to our minister of foreign affairs, and said to him: Without doubt we do not behold with a favorable eye a monarchy established in Mexico. Without doubt we prefer the republican form, but we respect the will of peoples and of nations. We understand that Mexico, which had been long governed by the monarchical form, may desire to return to that state of things, and we are not going to make war upon a question of the form of government."

Mr. Rouher has probably misapprehended your excellency, for I am persuaded that you could never have so entirely misunderstood my language as to have reported me as saying that the people of the United States understand that

Mexico, after having been so long subject to a monarchical form of government, may desire to return to it. What I stated that may have given the impression which has misled the minister of state was this, in brief: that now that the experiment had been begun, the Americans wished it to be fully tried, under circumstances best calculated to determine, finally and forever, whether European systems of government suited the Mexican people best. If it should appear that they did, and public tranquillity was restored, no nation was more interested in such a result than her immediate neighbors. I added, that the success of republican institutions in the Spanish American states had not been such as to encourage us to attempt the propagation of them there otherwise than by our example, and that whatever government was acceptable to the Mexican people would be satisfactory to us.

I trust to your excellency's memory to confirm me in the assertion that I never expressed to you any opinion or impression importing that the Mexican people desired a monarchical government. In saying that the success of republican institutions in Spanish America had not been such as to justify us in becoming their armed propagandists, I did not countenance the inference that the Mexicans themselves were dissatisfied with the form of government under which they had been living prior to the occupation of their capital by French troops.

I beg your excellency will take such measures as may seem to you proper to correct the error into which the minister secretary of state, in common with his hearers, appears to have been betrayed.

I desire to avail myself of this occasion to correct another misapprehension which has become accredited by publication in the official journal.

The Moniteur, of the 10th instant, speaking of the neutrality of France between the United States and the late insurgents in the slave States, says:

"La situation ètant aujourdhui changèe et le gouvernement federal ayant fait connaître son intention de ne plus exercer à l'egard des neutres les droits qui resultaient pour lui de l'état de guerre, le gouvernement de l'Emperor n'a pas crue devoir plus, longtemps reconnaître de belligerants dans les Etats Unis d' Amerique."

[Translation:]

"The situation being to-day changed, and the federal government having made known its intentions no longer to exercise towards neutrals the rights which were imposed upon it as a consequence of the state of war, the government of the emperor has not deemed it its duty longer to recognize belligerents in the United States of America."

I presume reference is here made to the communication which I had the honor to submit to your excellency on the 29th ultimo, extracts from which were quoted by your excellency in a subsequent communication to me, announcing the withdrawal of belligerent rights from the insurgents. Assuming such to be the authority from which the Moniteur makes the statement which I have cited, I feel it my duty to say that, thus far, the federal government of the United States has made no renunciation of any rights which belonged to it as a belligerent. It has ceased to exercise such rights, I presume, but I am not aware that it has renounced them.

The communication to your excellency of the 29th ultimo was in reply to a previous declaration of your excellency that a renunciation by us of the belligerent right of visit and capture of neutral ships must be a condition precedent to the withdrawal of belligerent rights from the American insurgents by France.

In arguing the inconveniences of making these measures dependent one upon the other, I stated that "the United States government, in applying for a repeal of the declaration of June, 1861, abandoned any of the rights of belligerent *which*

it is presumed to have claimed, and become directly responsible for anything it might do in the character of a belligerent. If, after the withdrawal of the imperial declaration, it were to visit and search a neutral vessel, it would at once expose itself to reprisals, the same as for any other violation of international comity." That is to say, we abandoned any belligerent rights which, upon the theory of your excellency, we only shared in common with the insurgents, and, upon that theory, would be responsible for anything we might do in our proper character as belligerents.

These observations were based upon the doctrine of belligerent rights propounded in the communication to which I was replying without either admitting or denying its correctness Should my government be of the opinion that a nation may be entitled to the privileges of belligerent in suppressing a rebellion, without thereby conferring belligerent rights upon the rebels, it might not be prepared to renounce the practice of visiting and searching neutral vessels so long as that remedy was necessary for the national security. Your excellency will remember that I made no concealment of the fact that I had no instructions from my government to offer or accept any conditions to be attached to the withdrawal of the declaration of June, 1865. I merely argued the inconvenience and unreasonableness of the conditions attached to its withdrawal upon premises assumed by your excellency. The final suppression of the rebellion in the United States, of which intelligence has reached us since the correspondence under consideration took place, deprives the matter to which I have invited your excellency's attention of much of its practical importance, at the same time it is as well that the communications, both oral and written, which I had the honor to submit on the 27th ultimo, should not acquire in their re-statement any importance not properly belonging to them.

I beg, therefore, that nothing I have written or said to your excellency may be regarded as an acceptance of the principle that the assertion of belligerent rights by a nation against its rebellious subjects necessarily confers upon the latter belligerent rights.

I beg to renew to your excellency assurances of the very high consideration with which I have the honor to be your excellency's very obedient and very humble servant,

JOHN BIGELOW.

His Excellency Mr. DROUYN DE LHUYS,
Minister of Foreign Affairs.

No. 112.

Mr. Seward to Mr. Bigelow.

No. —.] DEPARTMENT OF STATE,
Washington, June 17, 1865.

SIR: We have received a complaint from our commander at Brownsville, that General Mejia, the officer in command at Matamoras, had received from the rebel commander a quantity of cannon and other public property. It is understood that this complaint is to be followed by another, that the French authorities at Matamoras have also received into their service a large detachment of late rebel soldiers, with their arms. Circumstances indicate a growing disposition in some quarters of this country to find or make a *casus belli* with a view of the political situation of Mexico. I think it would be well for you, in an informal and confidential manner, to let the French government understand the great importance, as we think, of the practice on their part of the most just and

friendly disposition towards the United States by the French authorities in Mexico, as well as in the shaping of French policies towards that country.

Prompt and punctual attention to this subject will be of most essential importance.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., &c.

No. 113.

Mr. Bigelow to Mr. Seward.

No. 120.] LEGATION OF THE UNITED STATES,
Paris, June 21, 1865.

SIR: I have the honor to transmit to you enclosure No. 1, a copy, and in enclosure No. 2 a translation, of a despatch received from his excellency M. Drouyn de Lhuys, in reply to my communication to him of the 12th instant, a copy of which was communicated to you in my despatch No. 117.

I am, sir, with great respect, your obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c.

[Enclosure No. 2.—Translation.]

Mr. Drouyn de Lhuys to Mr. Bigelow.

PARIS, *June* 17, 1865.

SIR: I received the letter which you did me the honor of addressing me on the 12th of this month. You were so kind on the occasion of some remarks that were made in the corps legislatif, during the session on the 9th, by the minister of state, and of a note published in the Moniteur of the 10th, to recall to me the declarations which you had formerly made with regard to Mexico. and the withdrawal of the quality of belligerents from the seceded States.

"What I did write," you say respecting Mexico, "was that now that the experiment had been begun, the Americans wished it to be fully tried under circumstances best calculated to determine finally and forever whether European systems of government suited the Mexican people best. If it should appear that they did, and public tranquillity was restored, no nation was more interested in such a result than her immediate neighbors. I added, that the success of republican institutions in the Spanish American states had thus far not been such as to encourage us to attempt the propagation of them there, otherwise than by our example, and that whatever government was acceptable to the Mexican people would be satisfactory to us."

In the matter of withdrawing from the confederates the quality of belligerents, the following is, you tell me, the language which you employed in your letter of the 29th of May:

"The United States government, in applying for a repeal of the declaration of June, 1861, abandoned any of the rights of a belligerent which it is presumed to have claimed, and became directly responsible for anything it might do, in the character of a belligerent.

"If after the withdrawal of the imperial declaration it were to visit and search a neutral vessel, it would at once expose itself to reprisals, the same as for any other violation of international comity."

Feeling as you do, sir, that a theoretic discussion of these two points would now be of no practical interest, I thank you for having recalled to me the exact language of those declarations which you have had the goodness to make me.

Accept the assurances of the high consideration with which I have the honor to be, sir, your very humble and very obedient servant,

DROUYN DE LHUYS.

Mr. BIGELOW,
Minister of the United States at Paris.

No. 114.

Mr. Hunter to Mr. Bigelow.

No. 184.] DEPARTMENT OF STATE,
Washington, June 26, 1865.

SIR: I have to acknowledge the receipt of your despatch of the 13th instant, No. 117, transmitting a copy of your note of the day before to Mr. Drouyn de Lhuys, correcting certain mistakes which had occurred in representing what you had said and written in regard, respectively, to the position of the United States as to the Mexican question and the revocation of the French decree concerning so-called belligerent rights of the insurgents.

I am happy to inform you that your note is fully approved.

I am, sir, your obedient servant,

W. HUNTER,
Acting Secretary.

JOHN BIGELOW, Esq., *&c., Paris.*

No. 115.

Mr. Bigelow to Mr. Seward.

No. 133.] LEGATION OF THE UNITED STATES,
Paris, June 29, 1865.

SIR: In the course of an interview to-day with the minister of foreign affairs his excellency referred to the reclamations made by our government of the arms and equipment of a port in Texas, which had been bought by the Mexican General Mejia from certain confederate officers, after capitulation of the corps d'armie to which the garrison of the fort belonged. Mr. Drouyn de Lhuys desired me to say to you that the information which had reached him led him to believe that Major General Mejia had committed an error, and that he had written in that sense to the French minister at Mexico.

I am, sir, with great respect, your very obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c.

No. 116.

Mr. Bigelow to Mr. Seward.

No. 134.] LEGATION OF THE UNITED STATES,
Paris, June 30, 1865.

SIR: In a recent conversation with the minister of foreign affairs, his excellency spoke of two subjects which I had instructions to bring to his notice

some months since—the case of the federal steamer Ark, seized on the Rio Grande, within Mexican jurisdiction, by confederates from Texas, and sold at Brownsville to Mexicans; and the case of certain deserters from the confederate army, sent back by the Mexican general to the confederate authorities. His excellency then read to me a report on the facts in those two cases, which had been prepared for him in the bureaus of war and marine, to which it had been referred, and offered to send me a copy if I wished it. I said my government would of course like to know what defence could be made to its reclamations, that it might know whether they deserved to be prosecuted. He said I should have one to-morrow, with the understanding that it should only be taken for what it was, and not as an official communication of a final determination of the government on those subjects. I told him I would receive it, if he pleased, as a memorandum of a conversation. He said I should receive it to-day. If it comes in time for this mail I will enclose it.

I am, sir, with great respect, your obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c.

No. 117.

Mr. Seward to Mr. Bigelow.

No. 187.] DEPARTMENT OF STATE,
Washington, June 30, 1865.

SIR: On my resumption of the conduct of this department, after a journey to Auburn, I find your despatch of the 13th of June, No. 117; and I find, also, that it was duly acknowledged by Mr. Hunter, then Acting Secretary of State, in despatch No. 184. So far as it relates to the misapprehensions made by Mr. Rouher of your conversation with him in regard to the withdrawal of belligerent rights, there seems to be no reason for special remark. But so far as relates to the condition of affairs in Mexico, I think it important to notice the following passage in your despatch: "What I stated that may have given the impression which has misled the minister of state was this, in brief, that now that the experiment had been begun, the Americans wished it to be fully tried, under circumstances best calculated to determine finally and forever whether European systems of government suited the Mexican people best. If it should appear that they did, and public tranquillity was restored, no nation was more interested in such a result than her immediate neighbors. I added, that the success of republican institutions in the Spanish American states had thus far not been such as to encourage us to attempt the propagation of them there, otherwise than by our example, and that whatever government was acceptable to the Mexican people would be satisfactory to us."

It is thought that the argument which you have recited in the passage thus extracted is not warranted by the instructions of this department. It will be well, at your convenience, to make this explanation to Mr. Drouyn de Lhuys. So far as our relations are concerned, what we hold in regard to Mexico is, that France is a belligerent there, in war with the republic of Mexico. We do not enter into the merits of the belligerents, but we practice, in regard to the contest, the principles of neutrality; and we have insisted on the practice of neutrality by all nations in regard to our civil war. Our friendship towards the republic of Mexico, and our sympathies with the republican system on this continent, as well as our faith and confidence in it, have been continually declared. We do not intervene in foreign wars or foreign politics. Political intervention in the affairs of foreign states is a principle thus far avoided by our government. I

attach no great importance to this matter. It is right and proper, however, that the French government should not misunderstand the case, and so be suffered to fall into a belief that we have entertained any views favorable to it as an invader of Mexico, or that we at all distrust the ultimate success of republican systems throughout this continent.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., &c.

No. 118.

Mr. Bigelow to Mr. Seward.

[Extract.]

No. 136.] LEGATION OF THE UNITED STATES,
Paris, July 6, 1865.

SIR: I have received from his excellency the minister of foreign affairs a statement, of which enclosure No. 1 is a copy, and No. 2 a translation.

* * * * * * * * *

This *résumé* is the promised communication referred to in my despatch No. 134.

I am, sir, with great respect, your very obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c.

[Translation.]

In a conversation of the 9th of March, and through two notes, one of the same date, and the other of the 15th of March, the minister of the United States pointed out to the minister of foreign affairs of the Emperor, as infractions of Mexican neutrality, in behalf of the confederates, two occurrences that had become known on the Rio Grande and at Matamoras. The steamer Ark, belonging to a citizen of the United States, having stranded in ascending the Rio Grande, above Bagdad, some yards distant from the Mexican shore, was seized, it is said, by the confederates, taken to Brownsville, condemned as a prize, with the cargo, and sold to Mexicans. Then it is asserted that more recently General Mejia, commanding the allied division, arrested at Matamoras thirty deserters of the south, and caused them to be taken under escort to the banks of the Rio Grande to be delivered up to a confederate corps.

The minister, without assuming to prejudge the accuracy of the above facts, replied to Mr. Bigelow that, in principle, the government of the Emperor would always take into consideration any act pointed out as infringing on neutrality. The minister consequently communicated the above information to his colleagues of the department of war and marine, and requested them to beg the commandants in chief of our expeditionary corps and naval forces in Mexico to see, as far as it should depend upon them, that no act contrary to neutrality should take place on the Mexican frontier, bordering Texas. M. le Marechal Randon and M. le Marquis de Chasseloup Laubat sent at once to Marshal Bazaine and Commandant Clorié instructions in this sense.

Since then the commandant of our naval subdivision in the Mexican waters transmitted to the minister of marine precise information regarding the occurrences which Mr. Bigelow mentioned to the minister. They show, in the first place, and as we had reason to expect, that the French authorities had no part what-

ever in it; and further, that the facts did not exactly occur as was reported at Washington.

Thus, the steamer Ark was taken, as stated, by the confederates, but this seizure was effected before the expedition under the guidance of Marshal Bazaine, on the Rio Grande, last year, and when the disaffected under Cortinas were masters of Matamoras and Bagdad. When General Mejia afterwards took possession of Matamoras, in the name of the emperor Maximilian, the vessel was sold to one of its inhabitants, (a German, as we are informed,) but as the vessel was moored before Brownsville, General Mejia did not suspect what had passed in this matter, and that he would have to intervene with respect to the sale. The fact, therefore, could neither be laid to the charge of the Mexican nor the French authorities.

In the case of the delivering up of southern deserters indicated by the United States minister, it is impossible, if it really did take place, to render any of the French authorities in the smallest degree responsible for it, considering that since the temporary occupation of Bagdad by the crews of the ships placed under the orders of the Admiral Rosse, there was positively no French military either at Bagdad or Matamoras until the second of last May, when the column of the Commandant de Brian was landed. A confederate leader announced that he was going to send back to the Mexican shore four deserters of the foreign legion. The Commandant de Brian could not return them to the Texan shore after they had been brought over to the Mexican shore. He therefore consented to receive them, but without desiring to have an interview, on this occasion, with the authorities of Brownsville—a misconception of the orders of which they were the bearers having led the Mexican major and the French sergeant who were sent to meet these deserters to cross the stream in order to go in search of them. The sergeant suffered a month's imprisonment, and the major a month's arrest. M. le Commandant de Brian declared at the same time to General Mejia that neither of them should have any intercourse with the authorities of Brownsville; moreover, when the Commandant Florie was informed that they were also about to send back to him two of his sailors who had deserted, he refused to take any steps which should facilitate their delivery.

No. 119.

Mr. Seward to Mr. Bigelow.

No. 192.] DEPARTMENT OF STATE,
Washington, July 6, 1865.

SIR: I transmit a copy of a letter of yesterday, addressed by me to the Secretary of War, and of the telegraphic despatches therein referred to, from Major General Sheridan to Generals Grant and Rawlins; also a copy of a note of the same date, which I addressed to the Marquis Montholon; all of which papers relate to the fraudulent and illegal removal of a large portion of the property recently surrendered to the military forces of the United States in Texas, from that State to the Mexican side of the Rio Grande, including the steamer Lucy Given and eight hundred and twenty bales of cotton.

You are requested to make a representation of the facts to be gathered from these papers to Mr. Drouyn de Lhuys, and to protest against the reception within the military lines occupied by French troops in Mexico of any of the property above mentioned, expressing at the same time the expectation of this government that prompt satisfaction thereof will be made to the military authorities of the United States in that vicinity.

You will inform Mr. Drouyn de Lhuys that renewed instructions have been

given to the general commanding the United States military forces in Texas to permit no aggressive movements of troops under his command within Mexican territory, unless special instructions to that effect from the War Department should be rendered necessary by a condition of affairs not now anticipated.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., &c.

OFFICE U. S. MILITARY TELEGRAPH, WAR DEPARTMENT.

The following telegram received in cipher at Washington 5.30 a. m. June 30, 1865:

NEW ORLEANS, LA., *June* 28, 1865.

GENERAL: I have just returned from a hurried trip along the coast of Texas. The following is, to the best of my knowledge, the condition of affairs there: The Kirby Smith and Canby surrender was, for the most part, a swindle on the part of Kirby Smith & Co., as all the Texas troops had disbanded or had been discharged and gone home before the commissioners were sent to General Canby. Kirby Smith, Magruder, Shelby, Slaughter, Walker and others, of military rank, have gone to Mexico. Everything on wheels, artillery, horses, mules, &c., have been run over into Mexico. Large and small bands of rebel soldiers, and some citizens, amounting to about two thousand, have crossed the Rio Grande into Mexico, some allege with the intention of going to Sonora.

The Lucy Given, a small steamer, was surrendered at Matagorda, but was carried off, and is now anchored at Bagdad, on the Rio Grande.

There is no doubt in my mind that the representatives of the imperial government along the Rio Grande have encouraged this wholesale plunder of property belonging to the United States government, and that it will only be given up when we go and take it. General Steele says the French officers are very saucy and insulting to our people at Brownsville.

Juarez does not appear to have any force of consequence on the Rio Grande. I cannot hear of any movements. The rebels who have gone to Mexico have sympathies with the imperialists, and this feeling is undoubtedly reciprocated.

I will direct General Steele to make a demand on the French authorities at Matamoras for a return of the property. The Lucy Given is a tangible case.

A Mexican steamer, loaded with cotton and flying the American flag, was captured a few days since between Rio Grande City and Brownsville. After the surrender eight hundred and twenty-six (826) bales of Confederate States cotton, stored at Rio Grande City, were crossed into Mexico, and this is only one item.

There is a good deal of irritation between French officials at Matamoras and our people, and the Maximilian party is getting nervous. My scouts report from Matamoras that seven thousand (7,000) troops are marching from the interior to that place; also that Mejia is working on the rifle-pits around Matamoras. This reported re-enforcement I give for what it is worth.

P. H. SHERIDAN,
Major General Commanding.

Lieutenant General U. S. GRANT,
Commanding Armies United States, Washington, D. C.

Mr. Seward to Mr. Bigelow.

No. 120.

No. 194.] DEPARTMENT OF STATE,
Washington, July 10, 1865.

SIR: Referring to previous instructions on the subject of the fraudulent and illegal removal of property belonging to the United States to the Mexican side of the Rio Grande, I now enclose for your information, and as illustrating the importance of the early attention of the imperial government being given to our demand for the restoration of that property to the authorities of this government, a copy of a telegram of the 6th instant from Major General Sheridan to General Rawlins, chief of staff of Lieutenant General Grant.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., &c.

OFFICE U. S. MILITARY TELEGRAPH, WAR DEPARTMENT.

The following telegram received in cipher at Washington, 3 a. m., July 8, 1865:

HEADQUARTERS MILITARY DIVISION OF THE GULF,
New Orleans, July 6, 1865.

GENERAL: Affairs on the Rio Grande frontier are getting beautifully mixed up. Cortinas has arrived, and now has his headquarters six miles from Matamoras, and has driven in Mejia's pickets. He also captured the steamer Senorita and took her over to the other side of the river for safety, and she was taken down to Rio Grande City and seized by General Brown. I do not know exactly how it is as yet.

Mejia replied to General Steele's demand for battery and other property taken across the Rio Grande, that he had no authority to comply with the demand, but would refer it to the imperial government. This is just what I expected, and only confirms my former impression, that the property can only be obtained when we go and take it.

General Steele says the French officers and soldiers are very bitter against our people, and writes me that a grandson of Marshal Ney, with two thousand French cavalry, is reported approaching Matamoras, and that he is very bitter, and says he is going to invade Texas. The feeling of the people in the interior of Mexico is very bitter, while the natives, soldiers and all, are said to be with our government, and want to get rid of French rule. Ringgold barracks is occupied by our troops.

P. H. SHERIDAN,
Major General, Commanding.

General JOHN A. RAWLINS, *Chief of Staff.*

No. 121.

Mr. Bigelow to Mr. Seward.

No. 140.] LEGATION OF THE UNITED STATES,
Paris, July 11, 1865.

SIR: His excellency the minister of foreign affairs has sent me the accompanying correspondence between him and the late minister of war, in explanation of ihe alleged purchase by General Mejia of guns and munitions of war from the confederates at Brownsville after their capitulation.

I am, sir, with great respect, your obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State.

[Enclosure No. 1.—Translation.]

The Minister for Foreign Affairs to his ex ellency Marshal Randon, Minister of War.

PARIS, *June* 29, 1865.

MARSHAL AND DEAR COLLEAGUE: A despatch I received from our minister to the United States points out an incident which ¶ hasten to mention to you. According to official intelligence received at Washington, at the time when the confederate corps which occupied Brownsville, in Texas, surrendered to the federal forces, the artillery and munitions shut up in the fort were in part clandestinely taken to the Mexican bank of the Rio Grande and delivered to the authorities of Matamoras. Informed to-day only of this fact, the government of the United States asks for the prompt restitution of material which should have been delivered to it at Brownsville; and the Secretary of State, Mr. Seward, has requested the Marquis de Montholon to engage himself in obtaining this restitution. Mr. de Montholon considering, very justly, that the reclamation was thoroughly well-grounded, (if the facts are correctly stated,) promptly deferred to the request of Mr. Seward, and wrote about it to Marshal Bazaine, and to General Mejia, who was in command at Matamoras at the latest dates. This affair may, therefore, already have received, without further delay, a satisfactory solution. It might, however, be otherwise, and, on this supposition, I turn to you, asking you to send directly to Marshal Bazaine, by the courier of to-morrow, 30th, the necessary orders that he may contribute, if there still be need, and he has the means, to the prompt return of the *materiel* reclaimed. I write myself to our minister, Mr. Dano, that he may equally press upon the Mexican government the necessity of doing right, if satisfaction has not already been given to the request of the federal government.

[Enclosure No. 2.—Translation.]

The Minister of War to his excellency the Minister for Foreign Affairs.

PARIS, *July* 1, 1865.

Mr. MINISTER AND DEAR COLLEAGUE: Your excellency has done me the honor to communicate to me, by your letter of June 29, last, the reclamation which the government of the United States set up on the subject of the artillery and munitions belonging to the fort at Brownsville, which were clandestinely transported to the Mexican bank of the Rio Grande by the confederates, with the purpose of keeping them from the federal forces.

I hastened to write by the courier of yesterday, June 30, to Marshal de Bazaine, to request him to give immediately instructions to General Mejia, commanding at Matamoras, to assure, if it has not already been done, the prompt return of the *materiel* reclaimed by the government of the United States.

No. 122.

Mr. Bigelow to Mr. Seward.

No. 145.] LEGATION OF THE UNITED STATES,
Paris, July 14, 1865.

SIR: I have the honor to enclose—

1st. A copy of a note by which his excellency the minister of foreign affairs acknowledged the receipt of the President's proclamation of the 23d of June last, terminating the blockade; and,

2d. A translation of an article in the official paper in reference to the manner in which the withdrawal of belligerent rights from the confederates had been received in the United States, coupled with some remarks on the attitude of the United States towards France in Mexico. This article marks an important change in the tone of the Moniteur, and all the official press of the empire will feel the effect of it.

I am, sir, with great respect, your very obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State.

[Enclosure No. 2.—Translation.]

We now know the impression produced in the United States by the decision of the Emperor's government to revoke the measures which had been adopted in our ports at the beginning of the insurrection of the south, in conformity with the ordinary rules of neutrality.

The Washington cabinet does full justice to the sentiments of which France has given proof in removing the restrictions upon the federal navy which resulted from those rules, and in ceasing to recognize in the confederate ships the character of belligerents. It has been pleased to see that the imperial government has been guided by a sincere desire to revive the ancient sympathies of the two peoples, whose reciprocal interests as well as their traditions invite them to cultivate the most cordial relations.

France, in her turn, finds nothing but what is praiseworthy in the attitude of the United States. The federal government has not hesitated to take the necessary measures to prevent the manœuvres of the agents of Juarez.

President Johnson shows himself resolved to enforce the loyal observance of the law relative to enrolments, and the instructions given on this subject to the judicial authorities are being executed.

So, as we said about two months ago, the Washington cabinet, a little before the death of Mr. Lincoln, had declared that it ought in no manner to create difficulties in the way of France in embarrassing the establishment of a regular government in Mexico.

Under the new President the American cabinet has remained faithful to these assurances, and its conduct, like its language, testifies more and more strongly to its intention not to depart from them.

No. 123.

Mr. Seward to Mr. Bigelow.

No. 200.] DEPARTMENT OF STATE,
Washington, July 17, 1865.

SIR: I have to acknowledge the receipt of your despatch of the 30th ultimo, No. 134, relative to your conversation with the minister of foreign affairs upon the subjects of the steamer Ark and the deserters from the insurgent forces who were sent back by the Mexican general to the insurgents.

I observe that the paper, a copy of which was promised to you by his excellency, did not come. I understand from the Marquis de Montholon that he has papers on the same subject from Mexico. It is to be desired that there may be no unnecessary delay or controversy on the subject.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., &c.

No. 124.

Mr. Seward to Mr. Bigelow.

No. 201.] DEPARTMENT OF STATE,
Washington, July 17, 1865.

SIR: I have to acknowledge the receipt of your despatch of the 29th ultimo, No. 133, informing me of the course pursued by Mr. Drouyn de Lhuys, in regard to the purchase by the Mexican General Mejia, from insurgent officers, of the arms and equipment of a fort in Texas.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., &c.

No. 125.

Mr. Seward to Mr. Bigelow.

No. 205.] DEPARTMENT OF STATE,
Washington, July 22, 1865.

SIR: I transmit a copy of a letter of the 12th instant, and of the accompanying papers, addressed to this department by the Acting Assistant Secretary of War, on the subject of affairs on the Rio Grande.

You will bring to the notice of Mr. Drouyn de Lhuys the important statements contained in these papers, viz: the opinion expressed by General Mejia that there is a recognizable rebel party in Texas, and that a design is entertained in Mexico to produce an uprising against the United States in Texas, with a view to its annexation to Mexico, or at least to co-operate in maintaining the government of Maixmilian. You will ask the proper explanations on this subject without unnecessary delay.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., &c.

Mr. Eckert to Mr. Seward.

WAR DEPARTMENT,
Washington City, July 12, 1865.

SIR: I am instructed by the Secretary of War to transmit, for your information, copies of certain papers relative to the condition of affairs on the Mexican frontier, forwarded to this department by Major General P. H. Sheridan, commanding the military division of the southwest.

I have the honor to be, sir, your obedient servant,

THOMAS F. ECKERT,
Acting Assistant Secretary of War.

Hon. WILLIAM H. SEWARD, *Secretary of State.*

General Brown to Lieutenant Colonel Canby.

HEADQUARTERS UNITED STATES FORCES,
Brazos St. Jago, Texas, May 24, 1865.

COLONEL: I have the honor to report that I visited Bagdad, Mexico, yesterday, and had a personal interview with General Mejia, commanding the imperial forces on the Rio Grande. The general expressed a feeling of kindness towards the government of the United States, and a wish to preserve such a policy as would insure an impartial action upon the troops under his command, between the government of the United States and the rebels, or confederates, as he termed them. He still held to the opinion that, notwithstanding the surrender of the enemy on the east side of the Mississippi river, the rebels in Texas were a recognizable power. I had reliable information that the enemy had practically evacuated Brownsville, but General Mejia professed not to know anything about it, though the property of the confederate government had been sent over to Matamoras. I am informed, from a source I deem reliable, that General Slaughter has permission from General Mejia to cross into Mexico with his troops at any time when he may deem it necessary to do so; though this is not to be considered as being strictly official information. From all I can learn, the rebels, who intend to continue the contest against the government, are the friends and are co-operating with the imperial government of Mexico. The peace party and friends of the government of the United States in Texas are the friends of the liberal government or party in that State. This confirms the information I had the honor to transmit in my despatch of the 23d instant.

On the 14th instant a body of troops from this post, who were marching up the east bank of the Rio Grande, were fired upon from the Mexican side. Upon its being reported to General Mejia he promptly disapproved of the act, and I am informed that he arrested three men who were reported to have been guilty of this breach of neutrality, and that he has ordered them to be shot tomorrow morning. An application to supply my command with beef-cattle and horses from Mexico has received the approval of the Mexican commander, but, notwithstanding these acts of apparent fairness, I am of the opinion that one of the strongest influences that are brought to bear upon the people of western Mexico, to induce them to support the imperial government, is that Texas is to be again annexed to that government, or that a protectorate is to be extended over it. I submit these facts for the consideration of the major general commanding.

I am, very truly, your obedient servant,

E. B. BROWN,
Brigadier General Volunteers, Commanding.

Lieutenant Colonel J. S. CANBY,
Assistant Adjutant General, Department Gulf, New Orleans.

General Brown to Colonel Crosby.

HEADQUARTERS UNITED STATES FORCES,
Brazos St. Jago, Texas, May 28, 1865.

COLONEL: I have the honor to report that I have received information that the rebels at Brownsville have broken up, after imprisoning their general (Slaughter) and forcing him to divide the money in his possession Slaughter has sent the arms and ordnance stores into Matamoras and sold them to the imperial government. Such is the report.

I have ordered the 34th Indiana and 62d A. D. C., with two pieces of artillery that I have fitted up in an imperfect manner, and to be drawn by mules, across the Boca Chica, and intend to move to White Ranche this evening, and to Brownsville to-morrow.

I shall increase the force, if I deem it necessary, and shall take the command in person.

I am, very truly, your obedient servant,

E. B. BROWN,
Brigadier General Volunteers, Commanding.

Colonel J. SCHUYLER CROSBY,
Assistant Adjutant General, Department Gulf, New Orleans.

General Brown to Colonel Crosby.

HEADQUARTERS UNITED STATES FORCES,
Brownsville, Texas, June 2, 1865.

COLONEL: I have the honor to transmit, for the information of the major general commanding, the enclosed copies of a correspondence between General Mejia and myself. When the rebels evacuated this post the guard of citizens that was formed to protect their property was claimed to be a liberal company from Mexico, and, consequently, the representative of the imperial government was apprehensive of aggressive action on the part of my command. The apprehension was increased by the menacing attitude of Negreta and Cortinas, who are constantly harassing the imperial forces, and, probably, more from a feeling that the receiving artillery, marked U. S., from the rebel general Slaughter, and the extraordinary relations that have existed for the past four months between the rebels and the imperial government, had placed the representatives of that government in a questionable position. Under these circumstances, I thought proper to forward the letter enclosed, in order to allay the undue alarm that was manifesting itself at Matamoras.

I am, very truly, your obedient servant,

E. B. BROWN,
Brigadier General, Commanding.

Lieutenant Colonel SCHUYLER CROSBY,
Acting Ass't Adj't General, Department Gulf, New Orleans.

General Brown to General Mejia.

HEADQUARTERS UNITED STATES FORCES,
Brownsville, Texas, May 31, 1865.

GENERAL: In order that you may be informed of the desire on the part of the government of the United States to preserve amicable relations with the republic of Mexico, I have the honor to transmit the following extract from the

instructions from the Secretary of State to the commanding officer of the department of the Gulf, and which has been furnished to me for my guidance while in command of the Rio Grande.

[Extract.]

"You have already found that the confusion resulting from civil strife and foreign war in Mexico offers seductions for military enterprise. I have, therefore, to inform you of the exact condition of our relations towards the republic at the present time. We are on terms of amity and friendship and maintaining diplomatic relations with the republic of Mexico. We regard that country as the theatre of a foreign war, mingled with civil strife. In the conflict we take no part, and, on the contrary, we practice absolute non-intervention and non-interference. In command of the frontier, it will devolve on you, as far as practicable, consistently with your other functions, to prevent aid or supplies being given from the United States to either belligerent."

I am aware, general, that the fact that this town, immediately preceding its occupation by the troops under my command, was, in a measure, protected by persons inimical to the imperial government of Mexico, and the necessity that exists for the employment of men of this class in my operations against the bands of rebels in the country, may be construed into a belligerent feeling towards your government.

I beg leave to assure you that such is not the case, and I repeat to you, formally, what I said in our conversation at Bagdad, that the troops under my command will not be permitted, in any manner, to interfere in the present relations of Mexico.

The same assurance has been given to members of the liberal party of Mexico, now residing at this post.

With considerations of respect, I am, general, your obedient servant,

E. B. BROWN,
Brigadier General, Commanding.

Major General MEJIA,
Commanding Matamoras, Mexico.

General Canedo to General Osterhaus.

MATAMORAS, MEXICO, *June* 4, 1865.

GENERAL: In accordance with your instructions I arrived here a few days since, and have had but little of importance to communicate upon the L. S. project as yet. I would beg leave to recall to the recollection of the general-in-chief that I mentioned Mr. J. A. Quintero as one of the parties concerned in the affair, and that he had had an interview with Marshal Bazaine, in January last, in relation to it. Mr. Quintero was here last week in close conference with General Mejia, and returned again immediately to Monterey, and will be here again in a week. He is ostensibly enlisted in the imperial cause, but in reality is working for an uprising in Texas, the French and Mexicans to hold the frontier.

Of the other parties concerned in the enterprise two have gone to Europe, and one was heard of in Montgomery, two hours before General Wilson's entry into that place, endeavoring to purchase horses to go to Texas. One is now in San Antonio, and when I see Mr. Quintero I will know what is expected of me.

The citizens and foreign residents of this place are wholly enlisted in the imperial cause. Fortifications are being thrown up from bank to bank, encircling the city. There are thirty-five guns now here for defence, There are

about six hundred Belgian troops and two battalions of Mexicans here. Four thousand infantry, artillery, and cavalry have just been sent off to Camargo, while two thousand French troops are looked for from the seaboard. A camp of instruction has been established at Monterey. An officer, formerly in the rebel service, is now here engaged in raising a regiment of Texans for service with the imperialists.

To sum up, it seems the enterprise I spoke of has received a sudden shock from the rapid successes of the federal arms, but is by no means extinct. What the delegation now gone to Europe may effect, with those that are to follow, remains to be seen; but certainly the feeling and spirit evinced by the confederates generally, and Texans in particular, is most decidedly in favor of an uprising in Texas, or at least assisting the imperialists against its enemies, particularly the United States.

Very respectfully, your obedient servant,

A. H. CANEDO.

Major General P. J. OSTERHAUS,
Chief of Staff, New Orleans.
Through Brigadier General BROWN,
Commanding United States Forces, Brownsville, Texas.

General Mejia to General Brown.

[Translation.]

No. 180.] MATAMORAS, *May* 31, 1865.

GENERAL: I have the honor to make answer to the note you have been pleased to address to me of this date, to inform me of the wish of the United States to maintain friendly relations with the republic of Mexico. For this purpose you send me a copy of the instructions which the Secretary of State transmitted to the department of the Gulf, pointing out the neutral course he should observe, in view of the manner in which the United States consider the political situation in Mexico, and the state in which the relations of amity existing between both countries rest.

Allow me, general, to reply with my soldierly frankness. Although I ignore that there exists in Mexico the republic and foreign war, I regard with great interest the friendly sentiments of the United States towards my country, and I esteem, at their just value, the orders which in this sense emanate from your government.

And what wishes do the government of his Majesty the emperor Maximilian foster in relation to the United States? I have the honor to transcribe here the following instructions which, in this respect, have been communicated to me by his excellency the marshal commander-in-chief:

"The government of Washington, explaining certain reports which gave room to believe that the authorities at New Orleans, or rather the federal forces in Texas, gave aid against us to some guerillas and dissident chiefs, has given assurance that the instructions sent to the federal authorities prescribed to them the strictest neutrality. It is, therefore, very proper, that in reciprocation we should use all the vigilance possible to prevent the confederates from making in Mexican territory or Mexican waters any attack or movement against their adversaries, or meeting any support, although indirect."

I think it useless to add, general, that I am disposed to comply exactly with the wishes of my government, and that I entertain sufficient confidence that the authorities of the United States will have the will and the power necessary to

repress whatever act of hostility might be in preparation against my country within the territory of the Union.

Please accept, general, the assurances of my high esteem,

General MEJIA,
Commanding General, &c., &c.

Brigadier General E. B. BROWN,
Commanding U. S. Forces at Brownsville.

No. 126.

Mr. Seward to Mr. Bigelow.

No. 206.] DEPARTMENT OF STATE,
Washington, July 24, 1865.

SIR: Some observers who possibly are suspicious, but who certainly are known to be shrewd, infer from the tone of the ministerial press, and of that portion of the other press in Italy which more demonstratively sympathizes with the French government, that a project is on foot which contemplates an addition from Italy to the French army now engaged in Mexico, and with a view to hostilities against the United States. It is not believed here that either the Italian or French government entertains such a design. Nevertheless, existing circumstances render it important to the United States to know what measure of truth there is in statements of this character, and certainly it is only dealing justly and properly with the powers concerned, to bring the statements to their knowledge with a view to any explanations they may be prepared to give. I have, therefore, by the President's direction, taken measures to communicate with the government of Italy in an unofficial way, and will thank you to bring the same subject to the notice of Mr. Drouyn de Lhuys in a friendly manner.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., *&c.*

No. 127.

Mr. Seward to Mr. Bigelow.

No. 207.] DEPARTMENT OF STATE,
Washington, July 25, 1865.

SIR: Your despatch of the 6th instant, No. 136, with two enclosures, relative to the alleged infringements of neutrality in favor of the insurgents on the Rio Grande, in the case of the steamer Ark, and that of the delivery up of southern deserters to the insurgents, has been received, and will engage attention.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., *&c.*

No. 128.

Mr. Hunter to Mr. Bigelow.

No. 213.] DEPARTMENT OF STATE,
Washington, July 28, 1865.

SIR: Your despatch of the 6th of July, enclosing a copy and translation of a statement in regard to the case of the steamer Ark, and to the delivery up by the French troops of a party of insurgent deserters to the insurgent forces in Texas, has been received.

A further inquiry will be made in regard to the steamer, and the statement concerning the deserters will be communicated to the Secretary of War for his information.

I am, sir, your obedient servant,

WILLIAM HUNTER,
Acting Secretary.

JOHN BIGELOW, Esq., &c.

No. 129.

Mr. Hunter to Mr. Bigelow.

No. 214.] DEPARTMENT OF STATE,
Washington, July 28, 1865.

SIR: I have to acknowledge the receipt of your despatch of the 11th instant, No. 140, transmitting a copy of correspondence between the minister for foreign affairs and the minister of war, in explanation of the alleged purchase of artillery and munitions by General Mejia from the insurgents at Brownsville, and showing the disapproval of the imperial government of any such transaction. These guns and munitions, probably, have been already restored to the United States military authorities. Whatever may have been the facts of the transfer, it gives this government great satisfaction to find our confidence in the honorable disposition of France fully confirmed by the correspondence accompanying your despatch.

A copy of your communication has been sent to the Secretary of War for his information.

I am, sir, your obedient servant,

W. HUNTER,
Acting Secretary.

JOHN BIGELOW, Esq., &c.

No. 130.

Mr. Hunter to Mr. Bigelow.

No. 216.] DEPARTMENT OF STATE,
Washington, July 31, 1865.

SIR: Your despatch of the 14th instant, No. 145, and its enclosures, have been received. The information which you give of the friendly change in the tone of the French journals is very satisfactory.

I am, sir, your obedient servant,

W. HUNTER,
Acting Secretary.

JOHN BIGELOW, Esq., &c.

No. 131.

Mr. Bigelow to Mr. Seward.

No. 154.] LEGATION OF THE UNITED STATES,
Paris, August 5, 1865.

SIR: Referring to your despatch No. 192, I have the honor to transmit herewith, in three enclosures, copies of a letter upon the subject-matter of that de-

spatch addressed by me to his excellency the minister of foreign affairs on the 26th ultimo, and a copy and translation of his reply received yesterday.

I am, sir, with great respect, your very obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c.

[Enclosure No. 1.]

Mr. Bigelow to M. Drouyn de Lhuys.

LEGATION OF THE UNITED STATES,
Paris, July 26, 1865.

SIR: Referring to a conversation which I had the honor to hold with your excellency on the 6th instant, in reference to the delivery of cannon and other munitions of war by some of the rebel commanders in Texas to the Mexican general commanding at Matamoras, and referring also to the very satisfactory communication which I had the honor subsequently to receive from the Emperor's government upon the subject, it becomes my duty to invite your excellency's attention to the following supplementary representations.

Authentic information has reached my government that most of the rebel leaders of military rank in Texas, including Generals Smith, Magruder, Shelby, Slaughter, and Walker, together with numerous large and small bands of rebel soldiers and citizens, amounting to two thousand in number, crossed the Rio Grande and found asylum in Mexico after the capitulation of the insurgent commander; that everything on wheels, artillery, horses, mules, in fact all the public property that could be moved, were also carried over the border after the capitulation, but before the United States forces could occupy the country; that among other things thus carried away, of which information has reached me since I had the honor of bringing these border difficulties to your excellency's attention, was the steamer "Lucy Given," or "Gwin," which was surrendered at Matagorda and is now anchored at Bagdad, on the Rio Grande; and some 850 bales of cotton which were included in the capitulation and stored at Rio Grande City.

I regret to add that it is the impression of the federal general commanding that division of our army that persons calling themselves the representatives of the imperial government of Mexico have encouraged this extensive plunder of property belonging to the United States government, and also that the French officers in that vicinity have incurred the reproach of being very unfriendly and offensive in their bearing towards the citizens of the United States at Brownsville.

I hasten to bring these facts to your excellency's attention, in order, first, that the directions given by his excellency the minister of war, referred to in his communication to your excellency, bearing date July 1, may be extended, if not sufficiently comprehensive already, so as to insure the prompt restoration of the steamer Lucy Given, or Gwin, the 850 bales of cotton taken from Rio Grande City, as well as the artillery, carriages, horses, mules, &c., previously taken away by the rebels and their abettors; and, secondly, that all persons under the control of the Emperor's government may be instructed to avoid, as much as possible, a language or demeanor calculated to aggravate the difficulties of preserving peace on a frontier at the confluence of so many irritating influences. Animated by the spirit with which it is hoped this request will be received, my government has issued renewed instructions to the general commanding the United States military forces in Texas "to permit no aggressive movements of troops under his command within Mexican territory, unless under special instructions to that effect from the War Department, which shall be rendered necessary by a condition of affairs not now anticipated."

I pray your excellency to accept assurances of the high consideration with which I have the honor to be, your excellency's very obedient and very humble servant,

JOHN BIGELOW.

His Excellency Monsieur DROUYN DE LHUYS,
Minister of Foreign Affairs.

[Enclosure No. 3.—Translation.]

Mr. Drouyn de Lhuys to Mr. Bigelow.

PARIS, *August* 1, 1865.

SIR: I have received the note which you did me the honor to address to me on the 26th ultimo, concerning certain facts said to have occurred on the frontiers of Texas and Mexico, and to be of a nature to attract the attention of the government of the Emperor.

You recall on this occasion the communications which passed between us in reference to a similar incident, namely, the delivery of the artillery of Brownsville to the authorities at Matamoras. Information recently received in France, and which was reproduced in the newspapers, has made known to us the satisfactory solution given to that affair. Before our instructions, recommending the restoration of this property to the federal authorities, had time to reach Mexico, General Mejia had, of his own accord, ordered its surrender to the commander at Brownsville. This voluntary decision shows dispositions which, I doubt not, will be appreciated by the cabinet at Washington. The same information states, moreover, that the most friendly relations had been established between the military commanders of the United States and of Mexico in that part of the frontiers of the two countries.

You do me the honor to mention to me, in your communication of July 26, the passing over into the Mexican territory of a certain number of confederate generals, who, with some two thousand persons, soldiers and others, are said to have, after the capitulation, crossed the Rio Grande, taking with them their artillery, horses, mules, &c., all of which were the property of the federal government.

I am not yet in a position to offer you any explanations on this point, but, from what we know of the views of the Mexican government, those proceedings would be entirely contrary to its intentions.

As for the steamer Lucy Given, or Gwin, and the 850 bales of cotton included in the capitulation, which are said to have been transferred to Mexican territory, I am also obliged to wait, before answering your demand, for the information which I have asked, both from the French military authorities and from the government of Mexico.

Accept assurances of the high consideration with which I have the honor to be, sir, your very humble and very obedient servant,

DROUYN DE LHUYS.

MR. BIGELOW,
Minister of the United States, &c., Paris.

No. 132.

Mr. Seward to Mr. Bigelow.

No. 234.] DEPARTMENT OF STATE,
Washington, August 25, 1865.

SIR: I have to acknowledge the receipt of your despatch No. 154, of the 5th instant, which is accompanied by a copy of the correspondence which

passed between yourself and Mr. Drouyn de Lhuys upon the subject of certain property, belonging to the United States, which was delivered by the insurgents in Texas to the general commanding at Matamoras. Your proceedings therein recited are fully approved. As far as relates to the affair at Matamoras, the action of the French government is satisfactory.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., &c.

No. 133.

Mr. Bigelow to Mr. Seward.

No. 166.] LEGATION OF THE UNITED STATES,
Paris, August 31, 1865.

SIR: At my interview with Mr. Drouyn de Lhuys to-day, and after disposing of the matters referred to in my despatch of this date, marked "confidential," I alluded to the unhappy consequences of M. Rouher's attempt in the corps legislatif to quote from a conversation which had passed between Mr. Drouyn de Lhuys and myself in reference to Mexico. I expressed my regret that I had not then availed myself of his offer to make a correction in the Moniteur of the minister of state's statement, and then remarked that the speech in question had given such importance to our correspondence as to render it necessary for you to define with greater precision than I, in a somewhat desultory conversation, had deemed it necessary to do, the attitude which the United States occupied in reference to France and Mexico. I then read to him your despatch No. 187.

Mr. Drouyn de Lhuys said, by way of comment, that France neither asked nor expected from the United States anything more than neutrality in reference to Mexico—at least for the moment; that you had insisted that Mr. Davis, though occupying a large territory with a large army, was not a belligerent; and you now insisted that Juarez, without an army and without a government that any one could find, represented the sovereign power of Mexico. He did not agree with you on either of these points, but he could not object to your holding these views. As long as we observed the neutrality promised in your despatch, he felt that we were doing all they had a right to require of us. In regard to your letter, he said he did not see that it differed materially from what I had represented; that I had never pretended that the people of the United States were not more partial to a republican than to a monarchical form of government, nor had he ever supposed the contrary, but he could not suppose that we would prefer to perpetuate brigandage and misrule, under the name of republicanism, rather than have order and security in Mexico, even under a monarchical form of government.

Here, owing to the lateness of the hour and an interruption, it was necessary to bring our interview to a rather premature close, to my regret. There were several points raised in the course of his conversation to-day on which I would have liked to return, but must trust to some future opportunity for that satisfaction.

Meantime I remain, sir, your very obedient and very humble servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

No. 134.

Mr. Seward to Mr. Bigelow.

[Extract.]

No. 259.] DEPARTMENT OF STATE,
Washington, September 6, 1865.

SIR: I have submitted to the President the letter which you wrote at Dieppe on the 21st of August, and which was marked unofficial. In that letter you discuss at large the present aspect of the relations between the United States and France as they are affected by the situation in Mexico.

On this subject this government does not think itself called upon to volunteer opinions, counsel, or advice, or gratuitously to offer explanations to the governments of Europe. On the contrary, we have been content to stand upon what we have already very frequently set forth, while every proper care has been taken to prevent or allay irritations which might tend to bring about unexpected and undesired collisions. It is possible, however, that the French government may think it proper to ask you for explanations to some extent of the President's opinions and policy.

This paper is intended to enable you, in such a case, to submit to the imperial government, in an earnest and yet altogether friendly manner, certain views which the President has taken of the political situation in Mexico. Those views are by no means new, and they are as distinct and full as the present condition of the question involved enables us to express.

It can hardly be deemed necessary to repeat on this occasion what has been so often and so constantly avowed by this government, namely, that the people of the United States cherish a traditional friendship towards France. We also habitually indulge a conviction that the existence of friendly relations between the United States and France is by no means unfavorable to the interests of that great nation. These sentiments have survived the many interesting national changes which, during the present century, have occurred in the two countries concerned, and they may therefore be deemed to be independent of all merely partisan or dynastic influences in the one country or in the other.

It is perceived with much regret that an apparent if not a real, a future if not an immediate, antagonism between the policies of the two nations seems to reveal itself in the situation of Mexico before mentioned. The United States have at no time left it doubtful that they prefer to see a domestic and republican system of government prevail in Mexico rather than any other system. This preference results from the fact that the Constitution of the United States itself is domestic and republican, and from a belief that not only its constituent parts ought to preserve the same form and character, but that, so far as is practically and justly attainable by the exercise of moral influences, the many American states by which the United States are surrounded shall be distinguished by the same peculiarities of government. I think it not improper to add, that although the Constitution of this government and the habits of the American people formed under it disincline us from political propagandism, and although they still more strongly disincline us from seeking aggrandizement by means of military conquest, yet that the nation has, at various times since its organization, found it necessary for expansion, and that the like necessity may reasonably be expected to occur hereafter. That expansion has thus far been effected by the annexation of adjacent peoples, who have come into the Union through their own consent as constituent republican States under the Constitution of the

United States. To these two facts may be added the general one that peace and friendship between the United States and other nations on this continent, and, consequently, the advance of civilization in this hemisphere, seem to us more likely to be secured when the other American states assimilate to our own.

It is hardly necessary for me to indicate wherein the present attitude and proceedings of the French government in regard to Mexico seem to be variant from the policy and sentiments of the United States which I have thus described. I may remark, however, in general terms, that France appears to us to be lending her great influence, with a considerable military force, to destroy the domestic republican government in Mexico, and to establish there an imperial system under the sovereignty of an European prince, who, until he assumed the crown, was a stranger to that country.

We do not insist or claim that Mexico and the other states on the American continent shall adopt the political institutions to which we are so earnestly attached, but we do hold that the peoples of those countries are entitled to exercise the freedom of choosing and establishing institutions like our own, if they are preferred. In no case can we in any way associate ourselves with efforts of any party or nation to deprive the people of Mexico of that privilege.

Passing by all historical questions connected with the subject as not now necessarily requiring discussion, I have next to remark that this government finds itself neither less obliged nor less disposed at the present moment than it has hitherto been to adhere to its settled policy. Perhaps the French government may be supposed to have taken notice of the fact that, owing to the popular character of our government, our national policy is not adopted from the choice of any President or of any particular administration, and that, on the contrary, every important or cardinal policy is a result of the determination of the national will legally expressed in the manner appointed and prescribed by the Constitution. Experience has shown that, in every case, any policy which has arisen from such popular sources, and which has been perseveringly supported by the general national conviction through a long series of years, has been found to be essential to the safety and welfare of the Union.

The intense popular interest which was awakened by the prevalence of a civil war of vast proportions during a few years past has tended in some degree to moderate the solicitude which the situation of foreign affairs was calculated to create; but that interest is now rapidly subsiding, and it may be reasonably anticipated that henceforth the Congress of the United States and the people in their primary assemblies will give a very large share of attention to questions of extraneous character, and chief among these is likely to be that of our relations towards France with regard to Mexico. Nor does it seem unwise to take into consideration the fact that the presence of military forces of the two nations, sometimes confronting each other across the border, has a tendency, which both of them may well regret, to produce irritation and annoyance. The French government has not shown itself inattentive to this inconvenience hitherto, while this government has been desirous to practice equal prudence. But a time seems to have come when both nations may well consider whether the permanent interests of international peace and friendship do not require the exercise of a thoughtful and serious attention to the political questions to which I have thus adverted.

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I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., *&c.*

No. 135.

Mr. Seward to Mr. Bigelow.

No. 263.] DEPARTMENT OF STATE,
Washington, September 13, 1865.

SIR: I transmit a copy of a correspondence between this department and the minister of France, in regard to the case of the United States merchant steamer Sonora, now in the port of Tampico, in the hands of insurgents, and the restoration of which to her proper owner, Mr. F. Clavel, of New Orleans, is sought by this government.* I also transmit a copy of a despatch of the 24th of June last, No. 24, from Franklin Chase, esq., United States consul general at Tampico.

You will be pleased to lay the facts of the case before the imperial government, and to request that French agents at Tampico may be instructed to do what they properly can towards enabling Mr. Clavel to recover his property.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., &c.

Mr. Chase to Mr. Hunter.

No. 24.] UNITED STATES CONSULATE GENERAL,
Tampico, June 27, 1865.

SIR: I have the honor to enclose herewith copies of the correspondence passed between this consulate and the prefecto politico of this district, in relation to the steamer Sonora, to which I beg to invite your attention.

The steamer Granite City, formerly belonging to our navy, which came into this port as a blockade-runner, late in the month of March last, under the name of Three Marys, displaying the secession flag, is still in this port; also the steamer Jeanette, under British colors. These three vessels are the last of the arrivals from the coast of Texas.

Presuming that the movements of the Granite City might be of interest to our government, I reported her presence here to the honorable the Secretary of the Navy in my despatches to that functionary, dated, respectively, 10th and 17th ultimo.

The feeling in this place is still so much in favor of the late southern insurrection that I have but little or no hopes of anything favorable resulting from my interference in the case of the Sonora, and I would respectfully suggest that a vessel-of-war should be sent here forthwith, to demand her immediate restoration to her owner.

I am, with great respect, sir, your most obedient servant,

FRANKLIN CHASE.

Hon. WILLIAM HUNTER,
Acting Secretary of State, Washington, D. C.

No. 1.

Mr. Chase to the Prefecto Politico.

UNITED STATES CONSULATE GENERAL,
Tampico, June 20, 1865.

SIR: I have the honor to acquaint you that the steamer which arrived in this port on the 12th instant, from the coast of Texas, under the assumption of

* This enclosure appears in correspondence with the French legation.

British nationality, is in reality the American steamer Sonora, belonging to Felix Clavel, esq., of the city of New Orleans, where she was duly and properly documented; but while in the prosecution of a legal trading voyage from New Orleans to Matamoras, she was unlawfully captured when at anchor in the waters of Brazos, by a boat with a crew of armed men, who overpowered the captain and crew, and escaped with her to the coast of Texas, then in possession of the so-called confederate forces.

As a matter of duty to investigate still further the character of the steamer in question, I have had an interview with Frederick Johnson, esq., her Britannic Majesty's consul at this port, upon this subject, who informs me that she is not entitled to the protection of his government, and that he has warned the captain of the consequences of making a false use of the flag of his country.

Although not officially, still I am credibly informed that all the so-called confederate forces west of the Mississippi, under the command of General Kirby Smith, were surrendered by that chief to Major General Canby, of the federal forces, on the 26th day of May last, thus giving the final blow to that insurrection which for a length of time had been so disastrous to the United States. I mention this circumstance to show that while in the confusion of the reoccupation of the ports of Texas by the federal forces the Sonora escaped, with a few bales of cotton, which have been landed in this port; consequently she did not depart from a port held in armed rebellion against the United States, because the whole State of Texas, by virtue of the above-mentioned surrender, has again come under the laws and the government of the said United States, and thus her departure therefrom cannot now be considered as from an enemy's port to any party or power. Hence the time seems to have arrived when those privileges which have been granted by foreign powers to a forced trade with the enemies of the United States have no further existence.

Under these circumstances, I beg to express the hope that your honor will be pleased to consider it an act of justice to detain the Sonora, until her legitimate owner can have time to appear here, or to produce documentary evidence in reclamation of his property thus unlawfully wrested from him.

I improve this occasion to renew to your honor the assurances of my distinguished consideration and particular respect.

FRANKLIN CHASE.

Hon. JESUS DE LA SERNA,
Prefecto Politico, &c., of the Southern District of Tamaulipas.

No. 2.

[Translation.]

MEXICAN EMPIRE, POLITICAL PREFECTURE OF THE DISTRICT SOUTH OF TAMAULIPAS, *Tampico, June* 23, 1865.

Mr. CONSUL: The business relating to the steamer Sonora, of which you treat in your esteemed note dated 21st instant, has been transferred to the court of first instance of this district, that it may proceed in what may be needful pertaining to its exclusive jurisdiction, reserving to myself to send you the result when the judicial authority may determine what it considers to be proper.

The occasion, Mr. Consul, offers me that of protesting to you my distinguished consideration and esteem.

JESUS DE LA SERNA,
The Political Prefect ad interim.

P. S. GARCIA, *Secretary.*

CONSUL GENERAL *of the U. S. of America at this port, Present.*

No. 136.

Mr. Seward to Mr. Bigelow.

No. 264.] DEPARTMENT OF STATE,
Washington, September 20, 1865.

SIR: At an early period of the war between France and Mexico a body of native negro Egyptian troops was put by the Pacha of Egypt at the service of the Emperor of the French, by whose direction they were conveyed from Egypt to Mexico, where they were incorporated in the French service. It has been represented that the embarcation of the negroes on that destination was involuntary, and was effected not without compulsion. I am not prepared to say that the statement is absolutely accurate in this latter respect. The proceeding excited much comment at the time, but it passed unnoticed by this government, which was then seriously occupied with a peculiar condition of merely domestic affairs, and with the foreign embarrassments which grew out of that condition. It is now represented to this government that a second embarcation of the same character and with the same destination and purposes is contemplated. Since the original transaction occurred the United States have abolished slavery. The attention of Congress, as well as that of the executive department and of the country, has been very steadily fixed upon the course of events in Mexico, which I need not say form a subject of serious apprehension with regard to the safety of free republican institutions on this continent—an object with which we are accustomed to connect the desired ultimate consequence of the abolition of every form of compulsory civil or military servitude in this hemisphere.

You are instructed to bring this matter to the attention of Mr. Drouyn de Lhuys, and state to him that, in the opinion of this government, the renewal of the transaction alluded to could not be regarded with favor or even without deep concern by the people of the United States or by their government. It is proper for you to inform Mr. Drouyn de Lhuys that I have written upon the subject in the same sense herein adopted to the diplomatic agents of the United States residing, respectively, at Alexandria and Constantinople.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., &c.

No. 137.

Mr. Bigelow to Mr. Seward.

[Extract.]

No. 177.] LEGATION OF THE UNITED STATES,
Paris, September 21, 1865.

SIR: I profited by an opportunity which presented itself to-day at the reception of the minister of foreign affairs to recall what his excellency had said at our last interview about the gradual withdrawal of the French army from Mexico, for the purpose of mentioning a report which had reached me from our consul in Egypt, that six hundred of the Pacha's subjects of the Soudan were daily expected to embark for Mexico to re-enforce the invading army. I remarked that such a report was likely to provoke comment, and therefore I felt a desire to know, if he was disposed to tell me, how much foundation it had in truth. Mr. Drouyn de Lhuys said that he believed there were some troops raised some time ago in Egypt; he did not know how many, but he gave me

the impression that he was not aware of anything on the way at this moment. Their capacity to resist the diseases of the Mexican coast led the government to look in that quarter for soldiers to garrison the unhealthy regions of Mexico. But he went on to add, that whatever may be the number of troops gone or going from Egypt to Mexico, what he had said about the actual reduction of the French army in Mexico was none the less true. Since seeing me, he had taken pains to verify in the proper quarter what he had stated to me as his conviction. The reduction, he added, would go on as fast as possible, for the Emperor was very anxious to get out of the country. How fast they could reduce, he said, would depend a great deal upon the United States. It was their wish to retire as soon as they could leave their interests in Mexico properly protected.

I said that his excellency surely could not have expected our government to go further than it had already gone to show its forbearance, or words to that effect. "No," he replied, "my last letters from Mr. Montholon are very satisfactory; so much so, that I sent a line yesterday to the Emperor on the subject." I told him, in substance, that he ought by this time to feel satisfied that our government had no disposition unnecessarily to embarrass the government of the Emperor.

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I am, sir, with great respect, your obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD, *Secretary of State.*

No. 138.

Mr. Seward to Mr. Bigelow.

No. 269.] DEPARTMENT OF STATE,
Washington, September 25, 1865.

SIR: Your despatch of the 31st of August, No. 165, has been received. I have read carefully the account you have given therein of your conversation held with Mr. Drouyn de Lhuys on that day upon the special subject of the intercepted Gwin correspondence and the general subject of Mexican relations.

I agree with the minister for foreign affairs in his concluding suggestion that, so far as possible, direct and verbal communications upon such delicate matters are to be preferred over formal ones. I am, moreover, well pleased with the general spirit and tone manifested by Mr. Drouyn de Lhuys in that conversation. Beyond these points he will hardly expect a minister of the United States to coincide. The unpleasant interpellation about Dr. Gwin, as Mr. Drouyn de Lhuys calls it, was a consequence, a remote one indeed, but still a consequence, of the Emperor's giving private audience to Dr. Gwin, a traitor acting in the interest of an insurrection against this government. Aware that such consequences must follow such suspected audiences, this department and this government decline in every case to give audience to such emissaries as Gwin coming from States with which we are holding diplomatic relations.

It is well, I think, for both the French government and that of the United States to avoid the giving and the unnecessary taking of offence. The object of each is to avert misunderstandings and not to make them. It is useless to try to do that unless we can successfully abstain from everything that might provoke irritation. It must be easy to see that the people of the United States

have sensibilities as profound as those of the French people. The government of the United States may well be believed to have sensibilities as tender as those of France herself.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., &c.

No. 139.

Mr. Seward to Mr. Bigelow.

No. 270] DEPARTMENT OF STATE,
Washington, September 25, 1865.

SIR: I acknowledge the receipt of your despatch of the 31st ultimo, No. 166, relative to your interview of that date with Mr. Drouyn de Lhuys, in regard to Mexican questions. Your proceedings on that occasion are approved. With regard to the views expressed by Mr. Drouyn de Lhuys there is no occasion for special comment.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., &c,

No. 140.

Mr. Seward to Mr. Bigelow.

No. 274.] DEPARTMENT OF STATE,
Washington, September 25, 1865.

SIR: I have to acknowledge the receipt of your despatch of the 21st of June last, No. 120, giving me a copy of a note of the 17th of that month from Mr. Drouyn de Lhuys, in reply to yours correcting the statement made by the minister of state, concerning your representations upon the subject of Mexican affairs. You will pardon the delay which has occurred in making this acknowledgment, and which has been unavoidable.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., &c.

No. 141.

Mr. Bigelow to Mr. Seward.

[Extract.]

No. 180.] LEGATION OF THE UNITED STATES,
Paris, October 6, 1865.

SIR: I had the honor yesterday to submit to the minister of foreign affairs your despatch of the 6th of September, defining the President's policy in reference to France as affected by her intervention in Mexico.

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I am, sir, with great respect, your obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State.

No. 142.

Mr. Bigelow to Mr. Seward.

No. 181.] LEGATION OF THE UNITED STATES,
Paris, October 6, 1865.

SIR: Nothing has come from the other side of the Atlantic since my residence in France which has given more general satisfaction than the President's recent address to the delegates from the southern States. The Moniteur published it at length. The Constitutionnel of the 30th September devotes an article to the address which commences as follows:

"President Johnson has set out boldly in a path whither the sympathetic encouragements of every sincere and enlightened friend of the United States cannot fail to follow him."

In the concluding paragraph the writer says that "after the terrible trials which the United States have experienced, and which it was impossible for a nation always friendly as France has been not to feel, it is a special good fortune for the Americans, we might almost say providential, to be ruled by a man who has known how to withdraw himself so promptly from pernicious influences and to rise to the height of one of the greatest situations that can be imagined."

La France publishes the speech, and characterizes it as a very remarkable speech. I send by this mail a copy of The France of the 22d of September, in which will be found an article devoted to our President, in which the writer says apropos of the President's speech, published in its columns the day previous, "It is a model of benevolence, uprightness, and good sense."

I also send a copy of the Avenir Nationale of the 2d October, which appreciates the speech in a like friendly spirit.

The Moniteur of the 30th says: "A Vienna correspondent announces that enrolments for Mexico would be resumed soon in Austria, but these enrolments would be made for the national (Mexican) army, and not for the foreign legion. A number of officers have already inscribed themselves. A knowledge of the Spanish language is required for admission. The troops will meet at Layback."

I yesterday met the Austrian chargé d'affaires at the ministry of foreign affairs, who told me that the soldiers who enlisted were expected to become Mexicans, but that the officers would not cease to be Austrians. He promised to procure for me copies of the articles which they respectively were to sign, if he could.

Your letter to Mr. Adams in reference to the debt of the Confederate States is also the subject of general discussion. In addition to what will be found in papers taken by the Department of State, I send you a copy of La France of the 1st instant, in which it is said that "the federal government in refusing to recognize this loan was incontestably in the right."

The Debats of the 1st instant, and in subsequent numbers, vindicates your course without reserve.

In the same spirit is an article in the Avenir Nationale, which I forward today, of the date of October 4.

I send these notes merely to aid you a little in gleaning such French newspaper impressions of our affairs as may interest you.

I have only to add that President Johnson's praises are now in every one's mouth here.

I am, sir, with great respect, your very obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State.

No. 143.

Mr. Hunter to Mr. Bigelow.

No. 283.] DEPARTMENT OF STATE,
Washington, October 9, 1865.

SIR: Your despatch of the 21st ultimo, No. 177, containing an account of your conversation with Mr. Drouyn de Lhuys in regard to the reduction of the French forces in Mexico, has been received, and will be taken into consideration. An instruction of the 20th ultimo, No. 264, will have placed you in possession of the views of this government in regard to the compulsory transportation of Egyptian negro troops by France to Mexico.

I am, sir, your obedient servant,

W. HUNTER,
Acting Secretary.

JOHN BIGELOW, Esq., &c.

No. 144.

Mr. Hunter to Mr. Bigelow.

No 285.] DEPARTMENT OF STATE,
Washington, October 13, 1865.

SIR: Referring to your despatch of the 11th of July, No. 140, and to my reply of the 28th of that month, upon the subject of the alleged purchase by General Mejia of guns and ammunition from the insurgents in Texas, I have to state, for your information, that in a letter of the 9th instant from the Secretary of War, this department is informed that Major General Sheridan reports, under date of August 6, that the artillery in question was turned over to Brigadier General Brown, United States volunteers, on the 8th of July, 1865, at Brownsville, Texas, by Major General Mejia.

You will avail yourself of a convenient opportunity to express to Mr. Drouyn de Lhuys the President's satisfaction at the honorable and friendly course of the French authorities in relation to this matter.

I am, sir, your obedient servant,

W. HUNTER,
Acting Secretary.

JOHN BIGELOW, Esq., &c.

No. 145.

Mr. Bigelow to Mr. Seward.

No. 186.] LEGATION OF THE UNITED STATES,
Paris, October 18, 1865.

SIR: I waited upon his excellency M. Drouyn de Lhuys, on Tuesday, the 17th instant, at his request, and among the matters brought under discussion was your despatch No. 264, of the 20th September, in reference to recruiting in Egypt for Mexico, which I read to him on Thursday last. His excellency said that the Emperor entertained no doubt of his perfect right to avail himself of the courtesy of an ally to strengthen his army whenever and wherever he had occasion to do so; that the Pacha had placed at his disposition already some of

his soldiers, who stood the climate of parts of Mexico better than Europeans, and had promised him more. There was no treaty nor written engagement between them on this subject—simply a verbal understanding. It so happened, however, that in consequence of an insurrection which has broken out in the Soudan, the Pacha has need of all his troops, and therefore the project of recruiting in his dominions is for the present arrested. His excellency repeated his previous statement that the Emperor did not mean by this explanation to countenance any doubt of his right to enter into any arrangements with any foreign power for military aid when he had need of it.

I then asked if the purpose of taking troops from Egypt was finally and definitively abandoned. He said no, he could not say it was definitively abandoned, though the government had no definite intention of renewing it. It was one of those prerogatives which, while they claimed the right, they had no present intention to exercise.

I then observed that the question raised by my government in your despatch was not the Emperor's abstract right to recruit his army from among the subjects of his allies, if they invited him to do so, but whether he would practically insist upon taking Egyptian slaves, in the uniform of soldiers, to do military or other service in Mexico. I remarked that it was represented to our government that the troops in question were not levied upon any equitable system of enrolment, but were seized by soldiers of the Pacha, dragged away so far from their homes as to be unable to find their way back, pressed into the army where they had no civil or political guarantees whatsoever, and, in point of fact, were taken for the Pacha's army in the same way, and by the same means, that the King of Dahomey uses to stock his slave market. Such, said I, is the popular impression, and such seems to be the impression left upon the mind of the President, as it certainly was on mine, by the communication received from our consul general at Alexandria. His excellency said that he did not know how the soldiers were levied by the Pacha, but should inquire about it; that his army was composed of men of different colors and nationalities; that all governments required more or less of involuntary military service in time of war, and that men thus impressed hardly deserved to be called slaves. I said that was a question of fact; that you did not say absolutely that the service of the Pacha's troops levied for Mexico was servile, but that such was reported to you to be the fact; and such, I added, was the presumption; that we, as a nation, had suffered bitterly from the institution of slavery, and that we naturally could not contemplate with composure the possibility of its being planted in a neighboring country, under any disguise whatever. Waiving, therefore, the abstract right asserted by the Emperor, which I had no occasion to discuss, even if I found myself unable to agree with his Majesty, I begged his excellency to inform me, in case it should appear that the troops levied by the Pacha for the Emperor were seized without any enrolment and without any recognition of their civil state and rights as citizens, whether France, the first to set the example to the world of emancipating her slaves, would accept them? He replied promptly, "By no means. The government of the Emperor will have nothing to do with the propagation or encouragement of slavery." He added that he should, for his own information—the practical question you had presented to him having been disposed of by events, and therefore not requiring him to inquire officially—take steps to ascertain how the troops of the Pacha were levied for Mexico.

I said I would thank him to do so, and that I should also endeavor myself to obtain more precise information upon the subject. I concluded by saying that I should have pleasure in informing you—

First, that the levy of Egyptian troops referred to in your letter was not to be used in the re-enforcement of the French army in Mexico.

Second, that the Emperor at no time contemplated the enrolment of slaves into his army in Mexico, or elsewhere.

This communication will be submitted to Mr. Drouyn de Lhuys before it is posted.

I am, sir, with great respect, your obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State.

No. 146.

Mr. Seward to Mr. Bigelow.

No. 293.] DEPARTMENT OF STATE,
Washington, October 30, 1865.

SIR: I have your despatch of October 6, No. 180. While you have very properly given us the inferences which you drew from the conversation of Mr. Drouyn de Lhuys, which was elicited by the reading of my despatch of September 6, you have, at the same time, implied that he would probably return to the subject at a later day. The President waits with very considerable interest for the views of the French government. Whatever has occurred in connexion with the subject since my despatch was written has tended to enhance that interest.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., &c.

No. 147.

Mr. Seward to Mr. Bigelow.

[Extract.]

No. 300.] DEPARTMENT OF STATE,
Washington, November 6, 1865.

MY DEAR SIR: * * * * * * *

I will proceed to discuss the subject, and leave you to present the opinions of the President to such extent and in such manner as your own views of propriety shall suggest. The President feels himself bound to adhere to the opinion set forth in my despatch No. 259, which has, as we understand, been already read to Mr. Drouyn de Lhuys. The presence and operations of a French army in Mexico, and its maintenance of an authority there, resting upon force and not the free will of the people of Mexico, is a cause of serious concern to the United States. Nevertheless, the objection of the United States is still broader, and includes the authority itself which the French army is thus maintaining. That authority is in direct antagonism to the policy of this government and the principle upon which it is founded.

Every day's experience of its operations only adds some new confirmation of the justice of the views which this government expressed at the time the attempt to institute that authority first became known. The United States have hitherto practiced the utmost frankness on that subject.

They still regard the effort to establish permanently a foreign and imperial government in Mexico as disallowable and impracticable. For these reasons they could not now agree to compromise the position they have heretofore assumed. They are not prepared to recognize, or to pledge themselves hereafter

to recognize, any political institutions in Mexico which are in opposition to the republican government with which we have so long and so constantly maintained relations of amity and friendship. I need hardly repeat my past assurances of our sincere desire to preserve our inherited relations of friendship with France. This desire greatly increases our regret that no communications, formal or informal, which have been received from the government of that country seem to justify us in expecting that France is likely soon to be ready to remove, as far as may depend upon her, the cause of our deep concern for the harmony of the two nations.

The suggestion which you make of a willingness on the part of France to propose a revision of the commercial relations between the two countries is not regarded as having emanated from the government of the empire. However that may be, it is hardly necessary to say that we should not be dwelling so earnestly upon the branch of political relations if it had not been our conviction that those relations at the present moment supersede those of commerce in the consideration of the American people.

Believe me to be always faithfully yours,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., &c.

No. 148.

Mr. Seward to Mr. Bigelow.

No. 302.] DEPARTMENT OF STATE,
Washington, November 6, 1865.

DEAR SIR: I have just received your note of the 19th of October. I assume that your information in regard to the discontinuance of the project for Egyptian levies in Mexico is correct; it remains, therefore, for me to express the satisfaction of this government at that result.

I remain, dear sir, yours sincerely,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., &c

No. 149.

Mr. Seward to Mr. Bigelow.

No. 309.] DEPARTMENT OF STATE,
Washington, November 14, 1865.

SIR: I have received your despatch of the 18th of October, No. 186, in which you give me the substance of a conversation held between yourself and Mr. Drouyn de Lhuys on the 17th ultimo, upon the subject of the re-enforcement of the French army in Mexico by recruiting troops in Egypt.

You are instructed to say to Mr. Drouyn de Lhuys that the disposition of this matter by the Emperor's government is received with sincere satisfaction by the government of the United States.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., &c.

No. 150.

Mr. Montagnie to Mr. Seward.

No. 114.] UNITED STATES CONSULATE,
Nantes, November 16, 1865.

SIR: I have the honor to report that the ship which sailed yesterday from St. Nazaire to Vera Cruz carried four hundred soldiers for the so-called emperor of Mexico. One hundred and fifty were French; the rest belonged to the so-called "foreign legion."

I have the honor, sir, to remain, very respectfully, your obedient servant,
JOHN DE LA MONTAGNIE, *Consul.*

Hon. WILLIAM H. SEWARD, *Secretary of State.*

No. 151.

Mr. Bigelow to Mr. Seward.

No. 199.] LEGATION OF THE UNITED STATES,
Paris, November 21, 1865.

SIR: I shall send you by this post a copy of La France of the 19th instant, containing an extraordinary article in defence of the French occupation of Mexico, from the pen of Lamartine. I should not trouble you to read this or anything else that Lamartine has written about the United States since his unsuccessful appeal to American charity some ten years since, but for its appearance in the columns of a *quasi* official journal and for the comments which introduced it to the public. La France is edited by M. de la Guerronière, a senator, who is supposed to enjoy in a special degree the confidence of his sovereign, and to be a perfectly legitimate aspirant to the portfolio of foreign affairs whenever it becomes vacant. The language of commendation, therefore, bestowed by La France upon "the masterly style," "lofty inspiration," and "strong thoughts" of Mr. Lamartine's rhodomontade gives it a certain importance which the effusions of his brain alone have long ceased to possess. The thesis which Mr. Lamartine attempts to elaborate, and which Senator La Guerronière deems worthy of a conspicuous place in the columns of La France, is the following:

"The globe is the property of man. The new continent, America, is the property of Europe."

In elaborating this doctrine in justification of "the generous and eminently civilizing purpose which has directed the imperial policy" of his sovereign in Mexico, Mr. Lamartine finds occasion to void all his ignorance and venom—and it is difficult to say in this case which most abounds—upon the people and government of the United States. Here is a specimen of both:

"We can easily understand that this people possess as yet hardly any elements of an American literature. The Mexicans before the conquest, the so-called savages of Montezuma, the Peruvians with their *quippos*, (pœnis,) were in this respect greatly in advance of them. The gigantic monuments left by the Aztecs give evidences of intellect and power far superior to those evinced in the purely utilitarian structures of the Americans of the north. Pioneers do not build for posterity; woodmen only know how to cut down those grand aristocratic trees of the forest to convert them into lumber, taking pleasure in felling them, as envy does in overcoming natural superiority. Their eloquence extends no further than the debates of their public meetings, where they bring

the violence of their rude manners, and where brutal gestures and clenched fists take the place of that moral suasion which the great orators of ancient or modern Europe exert by means of argument and logic over distinguished men assembled for the purpose of seeking together for truth and right in all things.

"Their journals, innumerable because cheap, are but collections of the advertisements of quacks recommended by the Barnums of the press, compilations of slanders and invectives daily thrown to the different parties to furnish them with odious names or trivial accusations wherewith to discredit each other and gain subscribers. Their drawing-rooms are held at hotels; their gatherings of men, unsoftened by kindly feelings or female politeness, are but clubs in which eager traders avail themselves even of their time of rest to increase their fortune at the close of the day, proud of knowing nothing except that which pays, and conversing only on real or imaginary speculations in which to increase their capital a hundred-fold. Their liberty, which is entirely personal, has always in it something hostile to some one else. The absence of kindly feelings gives them in general the tone and attitude of a person afraid of insult or seeking to prevent insult by a dint of an overbearing attitude. They are themselves aware of the habitual disagreeableness of their manners.

"One of the few political orators they possess, the most eloquent and the most honest, whom national jealousy has always prevented, on acount of his superiority, from rising to the presidency, said to me one day: 'Our liberty consists in *doing everything that can be most disagreeable to our neighbor.*' The art of being disagreeable is their second nature. To please is a symptom of loving. They love no one; no one loves them. It is the expiation of selfishness. History furnishes no type of a nation like unto this people. Pride, coldness, correctness of features, stiffness of gestures, chewing of tobacco in the mouth, a spittoon at their feet, the legs stretched on the mantel-piece or crossed, without regard for the decorum which man ought to observe towards man, a short, monotonous, imperious tone, a disdainful personality stamped upon every feature—such are these autocrats of gold.

"With a few shining exceptions, who suffer everywhere from the general pressure in an inferior atmosphere—exceptions which are all the more honorable as they are the more numerous individually—such is the American of the north, such is the air of his country, the pride of what he lacks. Such is this people to whom Mr. Monroe, one of its flatterers, said, in order to gain its applause: 'The time has come when you must not permit Europe to interfere in the affairs of America, but when you must henceforth assert your preponderance in the affairs of Europe.'"

While, as I have already intimated, the feebleness of Mr. Lamartine's character has long since made his talents as a writer a calamity to himself, and a source of mortification to his friends, it may be profitable for those who direct the government of the United States to know what sort of opinions about us are still most cheerfully propagated by journals deriving their inspiration from official sources.

In connexion with Mr. Lamartine's view of the Mexican expedition so cordially approved by Senator La Guerronière, I invite your attention to an extract from an article which appeared in the same journal only the day previous, the 18th instant, entitled "Les remaniements territoriaux." Its purpose was to show that if Prussia should persist in her design of annexing the duchies, France must look to her own safety, and seek a compensation by extending her frontier, it is to be presumed, on the Rhine:

"The Emperor's government, faithful to that spirit of moderation which France has shown, has no conflict to engage in, pretensions to support, or compromising questions to raise. But, if other great powers thought fit to give way to the impulses of an ambitious and turbulent policy, to rush into adventures, and to overthrow for their own profit the conditions of European order and equilibrium,

France could not remain inert in the midst of that agitation more or less directed against her; she could not see aggressive forces increasing around her without thinking of fortifying her defensive positions; she would not feel bound to remain platonically quiet within her frontiers while other states had overleaped the bounds fixed by treaties; she would regulate her conduct by the necessities of a situation which she has neither desired nor sought, but which had been created without her, in spite of her, and against her. She would do what the most simple common sense commands in such a case; she would in her turn take her precautions, and would think of her own safety by re-establishing an equilibrium which would restore to her the guarantees destroyed by the changes effected."

Should the time ever come when we need the counsel of older states to guide us in determining how to indemnify ourselves against the encroachments of European powers upon the territory of our neighbors, this paragraph may have a certain value.

I am, sir, with great respect, your very obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c.

No. 152.

Mr. Seward to Mr. Bigelow.

No. 316.] DEPARTMENT OF STATE,
Washington, November 23, 1865.

SIR: The Secretary of War yesterday informed me that he had just received intelligence from Major General Sheridan to the effect, that on the 7th instant the republican forces in Mexico who were besieging Matamoras withdrew about six miles, but that they had again subsequently attacked the place; that our military officers in that vicinity have been subjected to the most violent abuse by the newspaper which espouses the monarchical cause at Matamoras; that it constantly terms the President of the United States the murderer of Mrs. Surratt; that some of our soldiers who were visiting Matamoras were arrested and put to work upon their fortifications, and our officers and men fired upon by their gunboats; that the most insulting letters from French officials have been addressed to General Weitzel and other officers; and that the consequence is much excitement on the part of our soldiers.

You are at liberty to make such use of that information as you may think proper, to show Mr. Drouyn de Lhuys the condition of irritability existing on that remote frontier.

I am, sir, your very obedient servant.

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., &c.

No. 153.

Mr. Bigelow to Mr. Seward.

No. 201.] LEGATION OF THE UNITED STATES,
Paris, November 24, 1865.

SIR: I received the following telegram yesterday from our consul general at Alexandria: "Le gouvernment dit insurrection supprimé expedition pourra se

faire." I interpreted it to mean that the rebellion in the Soudan, referred to by his excellency Mr. Drouyn de Lhuys in our conversation referred to in my despatch No. 186, had been suppressed, and that the project of sending Egyptian troops to Mexico, suspended by the insurrection, was liable to be resumed.

In the course of an interview with Mr. Drouyn de Lhuys in the afternoon I showed him the telegram, and gave him my interpretation of it. His excellency promptly said that no change in the attitude of the imperial government on that subject had occurred since our conversation, nor was likely to; that it had signified no desire to have the troops, nor did he think it was longer in the contemplation of the Emperor to avail himself of aid from that quarter; and that, of course, the Pacha would not send troops without a new application. He closed by the more positive form of expression, that he knew the Emperor had no intention of renewing his application. I expressed my gratification at receiving from him such a satisfactory assurance.

I am, sir, with great respect, your obedient servant.

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State.

No. 154.

Mr. Bigelow to Mr. Seward.

[With one enclosure.]

No. 202.] LEGATION OF THE UNITED STATES,
Paris, November 24, 1865.

SIR: I have the honor to acknowledge the receipt of your instruction No. 296, covering the opinion of Mr. Attorney General Speed, in reference to certain decrees relating to emigration which have recently been promulgated from the city of Mexico, and to enclose a copy of a communication addressed by me, in compliance therewith, to his excellency the minister of foreign affairs, on the 22d instant.

I am, sir, with great respect, your very obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State.

[Enclosure to despatch 202.]

LEGATION OF THE UNITED STATES,
Paris, November 22, 1865.

SIR: Recalling the conversation which I had the honor to hold with your excellency on the 17th ultimo, in relation to the alleged levy of Egyptian troops for involuntary service in Mexico, and the representations I then made in regard to the natural unwillingness of my government and country people to see slavery in any form replanted either within our territory or on our borders, I beg to invite your excellency's attention to certain recent decrees bearing on the subject of emigration to Mexico, purporting to emanate from authorities acting in opposition to that republic. In the opinion of the law officers of my government, these decrees, if enforced, would inevitably reduce to the condition of peon slavery working-men of the African race, and of course such of the freedmen of the United States as may have already been or hereafter may be seduced to go there without a full and intelligent comprehension of

their liabilities. That your excellency may understand the grounds for this conclusion, I am instructed to transmit to your excellency a copy of the Attorney General's opinion, which will be found enclosed, and to invite the attention of the imperial government to the question there discussed.

In complying with these instructions of my government, I avail myself of the language of the despatch containing them to say, "That if European opinion can be regarded as established in reference to any one political question, it is settled that African slavery in any form ought henceforth to cease throughout the world. We do not doubt that the Emperor of France cordially and fully concurs, as we do, in this humane sentiment."

I pray your excellency to accept assurances of the distinguished consideration with which I have the honor to be your excellency's very obedient and very humble servant,

JOHN BIGELOW.

His Excellency Monsieur DROUYN DE LHUYS,
Minister of Foreign Affairs.

No. 155.

Mr. Bigelow to Mr. Seward.

[Extract.]

No. 203.] LEGATION OF THE UNITED STATES,
Paris, November, 24, 1865.

SIR: I have the honor to acknowledge the receipt of your despatch No. 300, in reply to my note of the 19th of October last, relating to the Mexican affairs, and have given it very careful consideration. Yesterday I waited upon the minister of foreign affairs, and, after disposing of some other matters, said to him that I had received no encouragement to continue the conversation which had occupied so large a portion of our interview on the 17th ultimo. I then added that I did not know that I had occasion to say anything more. His excellency asked if I had received any communication upon the subject. I said I had, and that the President did not at present see any prospect of the two governments being able to come to an understanding upon the basis discussed in our conversation.

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I am, sir, your obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD, *&c.*

No. 156.

Mr. Bigelow to Mr. Seward.

[Extract.]

No. 209.] LEGATION TO THE UNITED STATES,
Paris, November 30, 1865.

SIR: Upon reflection I concluded that I should be likely to leave more correct impressions, and perhaps exclude some erroneous ones from the mind of Monsieur Drouyn de Lhuys by reading your despatch No. 300 to him, than by leaving him, after our interview on Thursday week, to imagine its contents. I accordingly called upon his excellency on Tuesday last, and after disposing

of some other matters of less importance, told him frankly that I wished to read to him the despatch, to the contents of which I had referred at our last interview, to prevent his supposing it contained anything which I had thought proper or had been instructed to conceal from him.

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When I had finished he thanked me for reading the despatch, though he felt obliged to say that he derived neither pleasure nor satisfaction from its contents.

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I am, sir, your obedient servant,

JOHN BIGELOW.

No. 157.

Mr. Minor to Mr. Seward.

No. 153.] UNITED STATES CONSULATE GENRRAL,
Havana, December 9, 1865.

SIR: The French packet steamer Nouveau Monde, from St. Nazaire to Vera Cruz, stopping at Havana, arrived here on the 6th instant, and left for Vera Cruz on the 7th instant, having on board nine hundred soldiers, re-enforcements for the French army in Mexico.

I have the honor to be your most obedient servant,

WILLIAM T. MINOR,
United States Consul General.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington D. C.

No. 158.

Mr. Seward to Mr. Bigelow.

No. 327.] DEPARTMENT OF STATE,
Washington, December 12, 1865.

SIR: I enclose for your information a translation of a communication of the *29th ultimo from the Marquis de Montholon, proposing, upon conditions, to withdraw from Mexico the French troops. A copy of my reply is also enclosed.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., *&c.*

No. 159.

Mr. Seward to Mr. Bigelow.

No. 328.] DEPARTMENT OF STATE,
Washington, December 14, 1865.

SIR: I have to acknowledge the receipt of your despatch of November 24, No. 203.

While it is very interesting, it seems to discourage an expectation on our part of the early withdrawal of the French force from Mexico. It is to be remarked, however, that the opinions upon the subject which you have received from Mr.

*See letter of 29th November, its enclosure, and reply of Secretary Seward, December 6, 1865.

Drouyn de Lhuys were expressed by him, not only without the positive sanction of the Emperor, but also in the absence of knowledge on the part of the French government of the definitive conclusions of the President on the subject discussed.

It is desirable to leave no part of these conclusions open to misapprehension. And it is equally desirable that we shall be authorized to infer that such expositions of the imperial views as are given us in the name of the French government are made with the Emperor's approval. I trust that both these ends will have been acomplished before you receive this despatch. Your communication authorizes this expectation. For the present, therefore, I must be content with approving the tone, spirit, and substance of your explanations to Mr. Drouyn de Lhuys.

I have the honor to be, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., &c.

No. 160.

Mr. Seward to Mr. Bigelow.

No. 329.] DEPARTMENT OF STATE,
Washington, December 14, 1865.

SIR: Your despatch of the 24th of November, No. 202, with its accompaniment, has been received.

The note you addressed to Mr. Drouyn de Lhuys on the subject of peon slavery in Mexico is approved.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., &c.

No. 161.

Mr. Seward to Mr. Bigelow.

No. 330.] DEPARTMENT OF STATE,
Washington, December 14, 1864.

SIR: Your despatch of November 24, No. 201, concerning the apprehended expedition of Nubian negroes against Mexico, has been received.

Instructions upon this subject will be given to you in another despatch.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, &c.

No. 162.

Mr. Seward to Mr. Bigelow.

No. 332.] DEPARTMENT OF STATE,
Washington, December 16, 1865.

SIR: Your despatch of November 29, No. 209, was duly received, and it has been submitted to the President.

Your proceeding in reading my despatch No. 300 to Mr. Drouyn de Lhuys

is approved. The general tenor of the remarks made by you to the minister of foreign affairs on that occasion is likewise approved. It is not the executive department of this government alone which is interested and concerned in the question whether the present condition of things shall be continued in Mexico. The interest is a national one, and in every event Congress, which is now in session, is authorized by the Constitution and is entitled to direct by law the action of the United States in regard to that important subject.

It has been the President's purpose that France should be respectfully informed upon two points, namely:

First. That the United States earnestly desire to continue and to cultivate sincere friendship with France.

Second. That this policy would be brought in imminent jeopardy, unless France could deem it consistent with her interest and honor to desist from the prosecution of armed intervention in Mexico, to overthrow the domestic republican government existing there, and to establish upon its ruins the foreign monarchy which has been attempted to be inaugurated in the capital of that country.

In answer to an exposition of our views which was thus made, the suggestion was offered to you by Mr. Drouyn de Lhuys that the government of the United States might favor and express desire of the Emperor to withdraw from Mexico, by giving to him some formal assurance that in the event of his withdrawal this government would recognize the institution of Maximilian in Mexico as *de facto* a political power.

It was my desire, in framing the despatch No. 300, to express in behalf of the United States a decision that the recognition which the Emperor had thus suggested cannot be made, and to assign, by way of explanation, the grounds upon which that decision was based. I have carefully considered the arguments against that decision which were presented to you by Mr. Drouyn de Lhuys in the interview referred to, and I do not find in them any sufficient reason for modifying the views which the United States have expressed.

It remains now only to make known to Mr. Drouyn de Lhuys my profound regret that he has thought it his duty to leave the subject, in his conversation with you, in a condition that does not authorize an expectation on our part that a satisfactory adjustment of the case can be effected on any basis that thus far has been discussed.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., &c.

No. 163.

Mr Seward to Mr. Bigelow.

No. 333.] DEPARTMENT OF STATE,
Washington, December 16, 1865.

SIR: Your despatch of November 21, No. 199, has been received. You have called my attention therein to a recent publication of Mr. Lamartine. The text of the publication is that America is the property of Europe. The publication has already attracted the attention of the American press. I think I can safely leave the debate where it has thus been taken up.

You direct my attention also to expressions made by the French press concerning apprehended conflict in the valley of the Rhine. It does not seem to me likely that France will, at one and the same time, occupy Matamoras and extend her sway into Germany. Political writers are not hindered by the ma-

terial obstacles which military powers unavoidably encounter. Nevertheless, notwithstanding this incredulity, I thank you for your attention in these matters.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., &c.

No. 164.

Mr. Seward to Mr. Pike.

No. 151.] DEPARTMENT OF STATE,
Washington, May 6, 1864.

SIR: I have the honor to acknowledge the receipt of your despatch of the 20th of April, No. 129. * * * * * *

Recent advices from the eastern States of Mexico represent that the national cause has revived in that region since the flight of Vidaurri, the disloyal governor of Coahuila and New Leon. Our attitude in regard to the conflict in Mexico remains unchanged. We still continue to see there a war between France and Mexico, in regard to which we are, as in all other foreign conflicts, neutrals.

Our spring campaign is open, and it may be expected that its events and vicissitudes will for a time abate the interests with which we have been watching the commotion of Europe.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JAMES S. PIKE, Esq., &c.

No. 165.

Mr. Koerner to Mr. Seward.

No. 83.] LEGATION OF THE UNITED STATES,
Madrid, March 20, 1864.

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The Archduke Maximilian has just returned to Miramare, and in a few days will formally accept the Mexican crown and assume the title of the "Emperor of the Mexicans." Ambassadors and ministers will be immediately sent to the European powers before he embarks. The name of the person designed to represent him here is already given in the papers. I would thank you for an intimation as to the manner in which you desire me to regulate my conduct towards him. He will, of course, make me an official visit. Shall it be returned officially, or only privately?

Your obedient servant,

GUSTAVUS KOERNER.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c.

No. 166.

Mr. Koerner to Mr. Seward.

[Extract.]

No. 85.] LEGATION OF THE UNITED STATES,
Madrid, March 27, 1864.

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It is stated here in various journals, which are likely to receive information from ministerial circles, that Mr. Preston has gone to Mexico to establish commercial relations with the new empire, and to procure its recognition of the Confederate States. It is also said in some of the papers that Spain has entered into a treaty with the new emperor, reserving the throne of Mexico, in case of failure of issue, to a Spanish prince. This would be an important fact if true, as it would secure the moral co-operation of Spain in the establishment of the new empire, and would have a tendency to place Spain in a somewhat antagonistic position to the United States. That Spain, in the end, would be cheated of her expectations I have no doubt; but still it is not altogether improbable that some inducements have been held out to her, which may have some present effect.

I have the honor to be, with the highest respect, sir, your obedient servant,
GUSTAVUS KOERNER.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c.

No. 167.

Mr. Koerner to Mr. Seward.

[Extract.]

No. 90.] LEGATION OF THE UNITED STATES,
April 2, 1864.

SIR: * * * * * *

The resolutions of the House of Representatives at Washington, protesting against a monarchy in Mexico, under European auspices, has caused surprise in diplomatic circles and a good deal of sensation in the press. It is generally supposed that the attitude assumed by the House will produce complications with France, and may lead to a war. As far as Spain is concerned, there are in fact very few persons in favor of the new empire under Maximilian; some, indeed, who would otherwise have been in favor of French policy in America, and who generally take their ideas from France, being disappointed in this instance because a Spanish prince was not selected.

I have the honor to be, with the highest respect, sir, your obedient servant,
GUSTAVUS KOERNER.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c.

No. 168.

Mr. Seward to Mr. Koerner.

No. 81.] DEPARTMENT OF STATE,
Washington, April 7, 1864.

SIR: In your despatch of March 20, No. 82, you mention the probability that the Archduke Maximilian, on assuming the title of emperor over Mexico,

will accredit a representative to the court of her Catholic Majesty, and you ask directions how to regulate your conduct towards the person who may be so accredited.

It is the policy of the United States to refrain from recognizing revolutionary governments. It has not recognized any revolutionary government in Mexico, while it has justly respected the belligerent rights of the parties engaged in war in that country. You will, of course, follow the policy which prevails here; and you will hold no official intercourse with any representative at Madrid of any revolutionary government that has been or shall be established against the authority of the government of the United States of Mexico, with which alone the United States are maintaining diplomatic relations.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

GUSTAVUS KOERNER, Esq., *&c., Madrid.*

No. 169.

Mr. Seward to Mr. Koerner.

No. 82] DEPARTMENT OF STATE,
Washington, April 18, 1864.

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It is true that Mr. Preston has gone to Mexico, as a pretended legate of the insurgents to the so-called regency of the empire. They are very enterprising in diplomacy, but their success there is not greatly to be feared, unless they should retrieve misfortunes sustained on the battle-field. Spain has heretofore had opportunity to understand the slaveholders of the United States. It is not less her own interest than it is ours that she shall not suffer herself to be misled by them. What resistance could Mexico, now or at any future time, offer, with even European aid, against the slaveholding power of the United States, if it could escape destruction and attain independence in the present civil war?

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

GUSTAVUS KOERNER, Esq., *&c., Madrid.*

No. 170.

Mr. Seward to Mr. Koerner.

No. 86.] DEPARTMENT OF STATE,
Washington, May 4, 1864.

SIR: I have received your despatch of April 10, No. 87, and I have read with much interest the account it gives of a conversation between yourself and Mr. Pacheco on the subject of the civil war in St. Domingo. It is, indeed, very hard for a state to reverse its steps and retreat from a position that has been deliberately taken in the face of opposition and resistance. There is nothing more sensitive than national honor. Nevertheless, I shall be surprised if it do not appear in the sequel that every attempt to restore European dominion in America ends in disappointment. That disappointment may be delayed until the successful close of our own troubles shall allow the prestige of the United States to be restored. A republic, like every other institution, has its perils to

encounter, and its penalties to pay for yielding to jealousies, supineness, and faction.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

GUSTAVUS KOERNER, Esq., *&c.*, *Madrid.*

No. 171.

Mr. Seward to Mr. Koerner.

No. 92.] DEPARTMENT OF STATE,
Washington, May 17, 1864.

SIR: Your despatch of the 2d ultimo, No. 90, has been received, and that part of it which relates to the assumption of imperial authority in Mexico by the Archduke Maximilian has been read with much interest. For your information in regard to the course of the United States in connexion with this event I herewith enclose a copy of an instruction addressed by me to Mr. Dayton, our minister to Paris, on the 30th ultimo.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

GUSTAVUS KOERNER, Esq., *&c.*, *Madrid.*

No. 172.

Mr. Seward to Mr. Koerner.

[Confidential.]

No. 95.] DEPARTMENT OF STATE,
Washington, May 19, 1864.

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This government, seriously preoccupied with domestic affairs, has deemed it prudent and just, and has found it possible thus far, to hold itself, as well as the whole American people, absolutely neutral in two wars which are waged by European states in portions of America. I refer to the war of France against Mexico, and to the civil war to which Spain is a party in the island of St. Domingo. This government has been able to practice this neutrality and enforce its observance upon American citizens, because all the maritime powers of Europe, while they have constantly assured the United States of their purpose to maintain neutrality in our own unhappy civil war, have also disclaimed designs of political conquest in America. Several of the South American republican states, however, naturally sympathizing, as they must, with the republic of Mexico, and with the revolutionists of Spanish St. Domingo, allege, on the contrary, that several of the European states, which once had colonies here, are now seeking to reduce them again to the condition of dependencies. These apprehensions are not unlikely to be entertained by the whole people of the United States. The proceedings of Spain in Peru give them color which is deeply to be regretted. Indeed, a general discontent with the forbearance of the government is already manifest. Should the sentiment of this country demand a reconsideration of the policy of neutrality which the government has hitherto maintained, it is very much to be feared that new complications might arise which would not merely disturb the existing systems of commerce, but might endanger the general peace of nations. I need not enlarge upon the subject I have thus presented.

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WILLIAM H. SEWARD.

GUSTAVUS KOERNER, Esq., *&c.*, *Madrid.*

No. 173.

Mr. Seward to Mr. Koerner.

No. 112.] DEPARTMENT OF STATE,
Washington, July 11, 1864.

* * * * * *

I have some grounds for believing that Peru will send a proper agent to Madrid in such a character, and for such a purpose as I have heretofore suggested in my correspondence with Mr. Robinson and yourself. Should Mr. Barreda, who now represents Peru here, go out to Madrid, you will find him a fair, honorable, and discreet person. In the mean time it will not be inexpedient for you to continue your good offices. I think that the pressure of the South American states upon this government for sympathy and aid entitles us to expect that the Spanish government will regard us as acting in a spirit not less friendly to Spain than to Peru, and solely with a view to prevent, so far as we can, an enlargement of the theatre of war.

I am, sir, your obedient servant,

WILLIAM H. SEWARD,

GUSTAVUS KOERNER, Esq., *&c., Madrid.*

No. 174.

Mr. Seward to Mr. Motley.

No. 47.] DEPARTMENT OF STATE,
Washington, October 23, 1863.

SIR: Your despatch of October 5, No. 36, has been received. Reserving so much of it as relates to the affairs of Mexico for distinct consideration, I have now only to thank you for the information you have given me concerning the complications of peculiarly European politics, and the conflicting currents of opinion on the continent concerning the civil war in which we have the misfortune to be the actors.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

J. LOTHROP MOTLEY, Esq., *&c., Vienna.*

No. 175.

Mr. Seward to Mr. Motley.

No. 66.] DEPARTMENT OF STATE,
Washington, April 18, 1864.

SIR: After preparing for the outgoing mail very full despatches concerning Mexican affairs, I have just now received your confidential despatch of March 28, which informs me of the grave question that has arisen in the court of Vienna, concerning the effect of the Archduke Maximilian's acceptance of a crown in Mexico upon his presumptive rights to succeed to the imperial royal throne of Austria.

While I thank you very earnestly for this important information, I do not think it necessary to comment upon it. The question thus raised will probably have been in some way adjusted before this despatch will reach its destination.

The present policy of this government in regard to Mexico would remain the same whether the archduke renounces or retains his claim to the succession in Austria; and it does not seem probable here that the ultimate destiny of Mexico can be influenced by anything so merely individual and personal as the character or relations of the person who at this new turn of the political wheel of that state may be lifted up by one of its factions, aided by foreign power, to the seat of Montezuma.

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I am, sir, your obedient servant,

WILLIAM H. SEWARD.

J. LOTHROP MOTLEY, Esq., &c., *Vienna.*

No. 176.

Mr. Seward to Mr. Motley.

[Extracts.]

No. 78.] DEPARTMENT OF STATE,
Washington, July 14, 1864.

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I thank you for your suggestions concerning Mexico, and the probable influence of recent events in that country upon our relations with Austria. These are consequences of our civil war, and they cannot be controlled. All that can be done in regard to them is to practice prudence and good faith in our foreign relations, and at the same time make preparations for self-defence, if, notwithstanding our best efforts, we shall find ourselves involved in new complications. Neither is our political system weak, nor does it stand on an uncertain foundation. We must, indeed, do all that we can to fortify, as well as to defend it; but we may not unwisely indulge an abiding confidence in its inherent strength and stability.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

J. LOTHROP MOTLEY, Esq., &c., *Vienna.*

No. 177.

Mr. Motley to Mr. Seward.

No. 34.] LEGATION OF THE UNITED STATES,
Vienna, September 21, 1863.

SIR: Since the date of my despatch of last week, No. 33, I have had an interview with Count Rechberg. Nothing, however, has up to this moment been decided in regard to the expected offer of the proposed Mexican throne to the Archduke Maximilian. The affair, so far as the imperial royal government is concerned, remains as before. The deputation from Mexico is expected in the course of this week to arrive at Miramare, the archduke's residence near Trieste.

I could not learn from the minister what conditions would be laid down by the archduke as necessary preliminaries to his acceptance of the crown, but I understood him to say that no binding arrangement would be concluded with this deputation, although it would probably be received.

I understood him, also, to repeat, as often before, that the Austrian government considered the matter as a purely personal one, regarding the archduke

himself and his imperial brother only, and that the imperial royal government had not the means nor the inclination to send out forces to Mexico to maintain the new empire.

I do not think it worth while to report any of the observations which I unofficially made on the subject myself, and which were simply those which any loyal American, belonging to any section or party of the United States, would be always sure to make in regard to this overturning of a republic, and the substitution for it of a monarchical government on American soil, and upon our frontier, by means of foreign armies and navies.

It seems to me that public opinion does not need much enlightenment as to the effect likely to be produced upon the people of the United States by this European armed intervention in the affairs of an American republic. I suppose that the French Emperor is hardly acting in ignorance of American opinions and feelings, but in defiance of them, and that the archduke, in going forth upon this adventure to improve imperial institutions upon the ruins of a democratic republic, can hardly have failed of weighing all the possible consequences of such a step, and that he is not likely to have reckoned on the sympathy and support of the United States government and people.

I intimated to Count Rechberg that there were rumors of the impending recognition of the so-called southern confederacy by the provisional government now established in the city of Mexico. I understood him to reply that the Austrian government knew no such provisional government, and that a communication which had been received from that source had not been and would not be answered.

I alluded, also, to the daily rumors in the European journals of intrigues and secret understandings between the agents of the insurgent government in the seceded States and the Emperor Napoleon, in which recognition of that organization as an independent power by France was announced for the immediate future, coupled with cession of territory so far as such agents had the power to cede it to the new Mexican empire, as the price of French recognition and French alliance. He said that the archduke held himself aloof from all such intrigues. In regard to the expected recognition by the new Mexican empire of the so-called confederacy, he observed that it would be easy for the United States government in a moment to make such a step impossible.

If the United States should themselves recognize the new government of Mexico, of course such recognition by so important a power would be far more valuable than any political relations that might be established with the southern States. He observed that everybody knew that the previous attacks upon Mexico and the disposition to extend the United States dominion over the soil of that country had always proceeded from the South.

I answered, that the recognition by the United States government of this new empire seemed to me impossible. Instead, however, of saying anything more upon this topic myself, my personal opinions and feelings having been often enough and strongly enough expressed, I proposed reading to him your despatch to Mr. Dayton, of March 3, 1862, which, so far as I knew, had never been published, but of which a copy had been forwarded to me at the time, and which I had brought with me. He readily assented, expressing at the same time a strong respect for yourself and your character as a statesman. I thought it could certainly do no harm that the Austrian government should be in possession of so wise and temperate a statement of American thought on that all-important subject, and accordingly, after reading the paper, I took the responsibility of promising a copy, which has subsequently been communicated to the imperial royal foreign office.

If I have done wrong in this you will let me know. I thought it might have some effect in causing reflection at this critical moment, and I relied on an ob-

servation in one of your despatches to me, that our government has no concealment in this matter.

I think you will hardly wish me to enter into academic or prophetic speculations upon this grave incident in our history. You are informed of the exact relations between the United States and France, while I am necessarily in the dark.

Rumors, suspicions, and threats, in regard to the attitude of that power towards us, fill the atmosphere of Europe. It seems impossible to doubt that the tendencies and sympathies of the French government are towards the slaveholders' insurrection, and that a recognition of the so-called confederacy is an ever-impending event.

Since the revelations of the British Parliament by Messrs. Roebuck and Lindsay, it would be folly to doubt the feelings of the ruler of France. At present the see-saw of his policy between Poland on the one side and Mexico on the other seems to incline towards our side of the world.

The Poles are left to fight, single-handed and naked as it were, against the whole power of Russia, for a winter's campaign in that direction on the part of France alone is hardly among the probabilities. The Gulf of Mexico seems more tempting at present, and you are better aware than I am how much or how little danger there is of that last chance of the insurgents, a foreign war against the United States. I am sure that the President will avoid such war with any power so long as the national honor and the national safety will permit.

I observe this morning a single paragraph in a widely circulated Vienna newspaper which is worthy of your attention. It is in an article defending the probable acceptance by the archduke of the Mexican crown: "According to latest accounts from Mexico it is hardly to be doubted that all inner discord in Mexico will come to an end so soon as the archduke shall tread its soil. * * * Also, the French government is supposed to have arranged with the American southern States for the cession of Texas. It is confidently assumed that the overwhelmingly German population of Texas would readily submit themselves to a German prince. It is apparently not feared that, in consequence of this cession, a war would arise between France and North America; should, however, the north of America, besides the still-continuing contest with the confederates, be willing to burden themselves with such a war in addition, then France would not object, perhaps even wish for it, in order at least to be able to interfere with armed force in favor of the south."

This is in a journal which is generally supposed—I know not how justly—to be "inspired" occasionally by government. Of what use, then, would be talk or argumentation on our side as to Mexican politics, if such views could find general acceptance?

Whether the Germans in Texas, who probably did not emigrate from their fatherland because fanatically attached to monarchical institutions, are grown so disloyal to their adopted country as is here represented, you can judge better than I can. My impression has been that they were not only strong and sincere democrats, but on account of their warm attachment to the United States government they had suffered much persecution from the insurgents. But under whose authority has Texas been ceded to France? Even were the insurgent government in as triumphant as it is really in desperate circumstances, on what theory and by what machinery is Texas to be ceded?

At least an ordinance of secession out of the confederacy, on the part of the State government, might be thought necessary, or it is supposed that the government at Richmond has spare troops enough at its disposal beyond the Mississippi to deliver over Texas, bound hand and foot, to the new emperor. Cessions in the Nice and Savoy fashion are not so easily accomplished in our hemisphere. Of course, the Emperor Napoleon, or any foreign potentate, is competent to at-

tempt the conquest of Texas or of any other United States territory with or without "an arrangement with the southern States," but it would certainly be something new in the history of the world that the conquest of such a province, 237,000 square miles in extent, and with a population of 600,000, the acquisition of which has cost a war, besides $10,000,000 in money, should be effected without the inconvenience of a new war.

In conclusion, I should say, although I am unable to give you authentically the conditions to be laid down previous to the acceptance of the transatlantic crown by the archduke, that this will undoubtedly include a goodly number of French bayonets for a considerable number of years, a recognition of the throne by France and England at least, and some more substantial manifestations of Mexican opinion in regard to the proposed revolution of the government than the shadowy phenomena which have thus far been visible.

I should say, also, that this whole matter is an embarrassment to the imperial royal government. Offence might be given to France should her fatal present be refused, while acceptance can bring no possible good to Austria.

"Timeo Danaos etiam dona ferentes" is, I suspect, the secret thought of the government.

I have the honor to remain, very respectfully, your obedient servant.

J. LOTHROP MOTLEY.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

No. 178.

Mr. Motley to Mr. Seward.

No. 36.] LEGATION OF THE UNITED STATES OF AMERICA,
Vienna, October 5, 1863.

SIR: I have the honor to acknowledge the receipt of your despatch, No. 41, of date September 11, marked confidential, in which information is conveyed to me as to the attitude of the United States government in regard to the war now existing between the empire of France and the republic of Mexico.

I understand from the latter portion of the despatch that the representatives of the United States abroad are instructed not to engage in the political debates which the present unsettled aspect of the war in Mexico has elicited. Hitherto I have occasionally deemed it my duty, in my private and unofficial capacity, to give expression to the almost universal American sentiment as to the events in question, and as to the misfortunes which have come upon a republic, our nearest neighbor, through the invasion of a distant and powerful nation. Of course, I have never engaged in any political debates, as I am fully aware that the United States government has never, directly or indirectly, authorized me to that effect.

I have thought, however, that it might be useful for the department to be informed, from time to time, of what might transpire as to the candidacy of the Archduke Maximilian for the throne which it is proposed to erect in Mexico, or in that part of the republic which has been subdued by the armies of the French Emperor.

I regret that my last despatch, No. 35, conveyed incorrect information. Although I stated that the source of that information was not official, nor such as I could vouch for, while I relied myself on its correctness, yet I should not have transmitted it at all, except for strong reasons for my faith, not now necessary to indicate.

At any rate, unless there has been some sudden change in the plans of the

archduke, which I have no reason to suppose, it is obvious that the information was erroneous; for it now appears from the answer of his Imperial Highness to the deputation of "notables," a translation of which is herewith transmitted, that his ultimate acceptance of the offered crown is very problematical. The conditions laid down are such as have been intimated in all my previous despatches, except No. 35, and would seem very difficult of fulfilment. One would suppose, for instance, although it is not distinctly stated, that among the guarantees that of England would be included, and it is difficult to imagine that this could be obtained.

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I have the honor to remain, sir, your obedient servant,

J. LOTHROP MOTLEY.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

TRIESTE, *October* 3, 1863.

The Mexican deputation was received to-day by his Imperial Royal Highness the Archduke Ferdinand Maximilian. The archduke answered the address of the deputation:

GENTLEMEN: I am deeply touched by the wishes which were expressed by the assembly of notables at Mexico, at their sitting of the 10th June, and which you have been charged to bring to me. It can only be flattering for our house that, at the first mention of the word monarchy, the eyes of your countrymen were at once turned to the race of Charles V. Although the task of assuring the independence and well-being of Mexico, by means of durable and free institutions, is a very noble one, still I must acknowledge, in full understanding with his Majesty the Emperor of the French, whose glorious initiative makes the regeneration of your beautiful country possible, that the monarchy cannot be restored, on legitimate and lasting foundations, unless the whole nation, of its own free will, ratifies the wish of the capital. Therefore, I must make my acceptance of the throne which is offered to me depend, first, on the result of a vote of the entire country. On the other hand, my comprehension of the sacred duties of the ruler over the restored empire makes it necessary for me to ask for those guarantees which are indispensable to protect it from the dangers which threaten its integrity and independence. Should the assurances of a well-grounded security in the future be obtained, and should the universal choice of the noble Mexican people fall upon me, I shall be ready to accept the throne, supported by the acquiescence of the high chief of my family, and confiding in the protection of the Almighty. In case that I should be called by Providence to the high mission of civilization connected with this crown, I must, gentlemen, declare to you, even now, my firm determination, following the wise example of my imperial brother, to open to the country the path of progress founded on law and order, by means of a constitutional government, and as soon as the whole realm has been restored to peace, to seal the fundamental fact with the nation by my oath. Only in this way could a new and truly national policy be called into life, in which all parties, forgetting their ancient enmities, would help to raise Mexico to that conspicuous rank among the nations to which she would seem to be destined under a government which held as its highest principle to let moderation and law govern.

Gentlemen, will you communicate to your countrymen these resolutions, which I have freely imparted to you, and strive that it may be made possible to the nation to declare what government it wishes to see established.

No. 179.

Mr. Motley to Mr. Seward.

No. 38.] LEGATION OF THE U. S. OF AMERICA AT VIENNA,
November 24, 1863.

SIR: I have the honor to acknowledge the receipt of your despatches, Nos. 45, 46, 47, and 48, of dates October 9, 20, 23, and 23, together with a copy of your despatch of date 23d October, 1863, addressed to Mr. Dayton.

This paper I took the earliest opportunity to place in the hands of Count Rechberg, at an interview a few days ago. He read it through with great attention, and then observed that it seemed to him a very moderate and statesmanlike despatch.

He asked if I would leave it with him, but as you had only instructed me to "make the contents known" to him, I did not consider myself justified in so doing, because of the confidential nature of the document, and because it was addressed not to me, but to our minister in Paris.

Our conversation on the matter was brief. He repeated what he had often said before, that the imperial government held itself aloof from the whole affair. Austria was a continental power, not a maritime power of the first magnitude, and could, therefore, send no ships or armies to Mexico to sustain the proposed empire.

I understood him to remark that it was hardly to be expected that the people or government of the United States would regard with sympathy the reappearance of a monarchical form of government in their neighborhood, but that, on the other hand, the right of Mexico to decide as to its own form of government was not to be disputed.

I replied that this right was the leading principle of all our policy, but that a real decision of a nation as to its form of government could never be made in the presence of foreign armies and navies.

The conversation then passed to other topics.

I suppose that there is no doubt of the archduke's expectation to leave for Mexico before next summer.

I have the honor to remain, sir, your obedient servant,

J. LOTHROP MOTLEY.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

No. 180.

Mr. Seward to Mr. Judd.

No. 72.] DEPARTMENT OF STATE,
Washington, May 9, 1864.

SIR: I have to thank you for your despatch of April 16, No. 62, which contains a very interesting exposition of the political situation of western Europe. Since it arrived I have received news of the fall of Duppel, which, doubtless, lends a new complexion to the war between Denmark and Germany.

I am advised that Mr. Corwin, availing himself of a leave of absence granted in August last, expected to take his departure from Vera Cruz on the 3d instant. The late accounts from Mexico show that the French forces have encountered several reverses; but the statements are not very minute, and everything that

comes from that quarter, in the interest of either belligerent, is believed to be much exaggerated. Nothing that has occurred there or in Europe has been thought to furnish sufficient ground for a change of the attitude which the United States has hitherto held in regard to Mexico.

I am, sir, your obedient, servant,

WILLIAM H. SEWARD.

NORMAN B. JUDD, Esq., *&c. Berlin.*

No. 181.

Mr. Judd to Mr. Seward.

[Extract.]

No. 62.] LEGATION OF THE UNITED STATES,
Berlin, April 16, 1864.

SIR: Your despatches Nos. 69 and 70, dated 19th and 21st of March, respectively, as also circular 48, bearing date 6th February, are received.

* * * * * * * * *

The new empire of Mexico is established, so far as it can be done on this side of the ocean. Maximilian has accepted the crown and assumed all the trappings of royalty. He has organized his imperial and official household, appointed diplomatic representatives to the leading European courts, and sailed from Trieste in an Austrian armed ship, accompanied by French ships, and will call at Rome for a blessing on his way to his fancied empire.

The new Mexican loan has enabled Maximilian to pay his debts—he was hopelessly insolvent—has given him, in addition, a few millions of francs for travelling expenses, and put in the French exchequer the balance to pay past liabilities and guarantee future responsibilities. * * * * *

I am, sir, your obedient servant,

N. B. JUDD.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

No. 182.

Mr. F. W. Seward to Mr. Sanford.

No. 148.] DEPARTMENT OF STATE,
Washington, September 26, 1864.

SIR: I thank you for your interesting despatch of the 7th of September, No. 214.

The wisdom of allowing Belgian subjects to take military service against the republic of Mexico is the question which seems to be discussed in the Belgian legislature.

One important point was omitted, namely, how long the fidelity of a foreign legion employed in America in such a cause can be depended upon. It will be seen, I think, in the end, that European soldiers coming hither ultimately become American republicans.

I am, sir, your obedient servant,

F. W. SEWARD.

HENRY S. SANFORD, Esq., *&c., Brussels.*

No. 183.

Mr. Seward to Mr. Sanford.

DEPARTMENT OF STATE,
Washington, October 4, 1864.

SIR: I have the honor to acknowledge the receipt of your despatch of the 15th of September, No. 215, which mentions a probability that a special and extraordinary mission will be sent by the Belgian government to the so-called imperial government in Mexico. I have also received your private note, which mentions that Mr. Rondeel von Cuelebroeck, now minister plenipotentiary here, will likely be appointed to fill that extraordinary mission.

This government can have no right to question such a proceeding by the Belgian government, but it is easy to perceive that if the representative of Belgium shall be sent to Mexico to recognize a foreign imperial revolutionary government there, while the United States remain in treaty relations with the native republican government still existing in Mexico, and if that representative should, immediately after performing that function, be returned to the United States to renew his mission here, the transaction would then be liable to popular misapprehension, which, even though it should not impair his usefulness, might at least render his residence less agreeable than it is to be desired.

You may verbally and unofficially suggest these considerations to Mr. Rogier for his reflection.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

HENRY S. SANFORD, Esq., *&c., Brussels.*

No. 184.

Mr. Sanford to Mr. Seward.

No. 199.] LEGATION OF THE UNITED STATES,
Brussels, July 6, 1864.

SIR: Lieutenant General Chapelie, "charged by his Majesty the emperor of Mexico with the mission of organizing a body of troops destined to form part of the imperial Mexican guard," has issued a notice under date of yesterday which I enclose herewith, touching the conditions, &c., of enlistment. The service is for six years, with a bounty of from sixty to one hundred francs, for non-commissioned officers and soldiers, and the same amount to be given at the expiration of their service, with return passage to Antwerp. Those who remain in Mexico as colonists will be entitled, the common soldier to about ten acres, the sergeant to about thirty acres of land, and to certain advances for its improvement; this grant of land to be doubled in the event of completing a second term of six years' service.

The pay while in Belgium is to be the same as that of the Belgian army. In Mexico it will be augmented in accordance with the needs of the soldier, and will be equal to that given to the best paid corps.

I have been told that the organization of this corps is complete in so far as the officers are concerned, and that leave has been given to officers of the army who have joined this corps, which will number two thousand men.

I have the honor to be, with great respect, your most obedient servant,

H. S. SANFORD.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c.

No. 185.

Mr. Sanford to Mr. Seward

No. 213.] UNITED STATES LEGATION,
Brussels, September 7, 1864.

SIR: The new house of representatives met on the 3d instant, and after three days' animated debates on contested elections, was organized on the 6th by the re-election of its former officers.

The credits left in suspense by the dissolution of the last house were voted; the proposition of M. Orts, increasing the popular representation in the national legislature, with a modification providing for an additional senator from Brussels, instead of, as originally proposed, from Louvain, was reported from the sections for first reading, lies over, and will probably be acted on next session, and the house adjourned *sine die* on the third instant.

There were two incidents in this short session worthy of notice: the first was a discussion upon an interpellation by M. Coomans, touching the organization in this country of a Belgian legion for service in Mexico, for details of which I beg to refer to my despatch No. 214; and the other the debate upon the supplementary credit of 5,575,000 francs for the completion of the fortifications of Antwerp.

This latter question, upon which the liberal party is not united, gave rise to a lively and acrimonious discussion, and was decided by a close vote in favor of the government, which would seem to owe to the abstention of some members, and the absence of others, an escape from a possible defeat.

I have the honor to be, with great respect, your most obedient servant,

H. S. SANFORD.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c.

No. 186.

Mr. Sanford to Mr. Seward.

No. 214.] UNITED STATES LEGATION,
Brussels, September 7, 1864.

SIR: I enclosed to you on the 6th of July, in my despatch No. 199, a notice published by General Chapelie, inviting recruits for a Belgian legion to serve in Mexico,

Soon after I called M. Rogier's attention, incidentally, to this notice, and asked him if the government was a party to this organization of troops. He replied that it was not; that, as a government, they had nothing to do with it; that they had, however, given permission to Belgians in their service who desired to go, for without it they forfeited their nationality as Belgians. There was nothing in their laws, he continued, which prevented recruiting in Belgium for foreign service, provided it was not against a nation with which they were at peace.

This subject, coupled with the appearance in the steets of the recruits in Mexican uniform, has naturally excited public attention, and in the sitting of the 2d, on a motion by M. Coomans, he inquired of the minister of war if it was true that Belgian soldiers had received authorization from the government to take military service in Mexico, and upon what laws it was based. The minister replied that it was in accordance with numerous precedents, and he did

not see why exception should be made against those Belgians wishing to serve a daughter of the King, who is a sovereign in another country.

An animated and interesting debate followed, which I enclose from the Moniteur, and which shows considerable embarrassment on the part of the government, and on the part of its friends, to defend its course, such as it is; for its effect would seem to tend to put the representatives of liberalism in Belgium in a false attitude before the liberal sentiment of Europe.

The motion of Mr. Coomans, expressing the regret of the house that the government had authorized the promotion in Belgium of a Belgian military corps for service in a foreign country, failed by a vote of 39 for and 53 against. A substitute, by M. Bara, declaring that "the house, in presence of the formal declarations that the government has remained and will remain completely aloof from the encouragement of a corps destined to serve in Mexico, proceed to the order of the day," passed by a vote of 50 for and 36 against.

I have the honor to be, with great respect, your most obedient servant,

H. S. SANFORD.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c.

No. 187.

Mr. Sanford to Mr. Seward.

No. 215.] LEGATION OF THE UNITED STATES,
Brussels, September 15, 1864.

SIR: I have the honor to acknowledge the receipt of your despatches Nos. 142 and 143.

The Belge-Mexican corps which is organizing here, and to which reference has been heretofore made, seems to progress but slowly. I am informed that but about one-half the number contemplated (2,000) has been enlisted. The cause appears to be the want of funds to carry out the original plan. There seems to be a good deal of feeling against this expedition on the part of a portion of the population here, which I would not be surprised to see take the form of some public manifestation.

It is probable that this government will soon send an extraordinary mission to Mexico, and that M. Blondeel de von Cuelebroeck, the Belgian representative at Washington, will receive this temporary appointment.

I have the honor to be, with great respect, your most obedient servant,

H. S. SANFORD.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c.

No. 188.

Mr. Sanford to Mr. Seward.

No. 220.] LEGATION OF THE UNITED STATES,
Brussels, October 24, 1864.

SIR: I have the honor to acknowledge the receipt of your despatches from No. 144 to 149, inclusive; also, your circular despatch of 12th ultimo, and your communications marked "private," under date of September 17, 19, and of 4th instant, The latter, touching the appointment of the present Belgian minister to the United States on an extraordinary mission to Mexico, will be acted upon

in accordance with your suggestion. M. Rogier is out of town, and will be absent for a week or so longer.

The King is absent on a visit to Germany and Switzerland, to return early the coming month.

A corps of Belgians, about 600, according to the journals, recruited here for service in Mexico as "Empress Guard," have left here for the country, via St. Nazaire, and sailed last week in the regular French packet for Vera Cruz. Want of funds will probably be an obstacle to the completion of the enlistment proposed here. Apart from the dissatisfaction which seems to be felt among the soldiers and officers as well, the debates in the Chambers reported to you, and which will doubtless be resumed at the next session, have also tended to make the service unpopular; and my impression is that the Mexican empire cannot safely count upon more soldiers from Belgium, even had it the funds to continue recruiting.

I have the honor to be, with great respect, your most obedient servant,

H. S. SANFORD.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c.

No. 189.

Mr. Sanford to Mr. Seward.

No. 228.] UNITED STATES LEGATION,
Brussels, November 21, 1864.

SIR: Another detachment from the depot of recruits for Mexico was despatched hence last week, via St. Nazaire, about 400 men, I am informed, and the remainder are to go forward, by the same route, by the steamer of December. As before stated, recruiting for Mexico has, since some time, been practically suspended.

The whole number recruited amounts, I believe, to some 1,400 men. How many have sailed or will sail from St. Nazaire, I know not. There has been considerable dissatisfaction manifested, and I suspect a good many desertions.

I have the honer to be, with great respect, your most obedient servant,

H. S. SANFORD.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c.

No. 190.

Mr. Sanford to Mr. Seward.

No. 230.] LEGATION OF THE UNITED STATES.
Brussels, November 28, 1864.

SIR: The budget of foreign affairs was discussed in the house of representatives on the 25th and 26th instant, and was voted without exciting any discussion of moment. The appropriation for the mission to Mexico was duly voted; one of the "liberal" members, M. Goblet, intimating, in reply to remarks of M. Kerryn de Lettenhove in favor of the Mexican empire, that it was not then the occasion to discuss that subject; that they would vote the appro-

priation asked for, and reserve the expression of their opinion upon the character of the intervention in Mexico. To an inquiry by one of the members why a full mission was provided for to Mexico and not to the United States and Brazil, the minister of foreign affairs replied that they but returned the courtesy which had been made to them. As an envoy extraordinary and minister plenipotentiary had been accredited to them by the Emperor of Mexico, they proposed responding by the sending of one of the same grade to that country.

I have the honor to be, with great respect, your most obedient servant,

H. S. SANFORD.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c.

No. 191.

Mr. Harvey to Mr. Seward.

No. 234.] LEGATION OF THE UNITED STATES,
Lisbon, October 17, 1863.

SIR: I have the honor to acknowledge the receipt of your No. 118, covering a copy of a confidential despatch to our minister at Vienna in regard to the proceedings of the French government in Mexico.

There can be no doubt of the prudence and propriety of your instruction that we should abstain from discussion of the important questions connected with the present situation of Mexico until a more appropriate time and opportunity shall be presented by events which are now fast taking shape and substance. In fact, the policy of our government in reference to the states of the American continent speaks so emphatically for itself, and is so generally known and understood in Europe, as to require little of either explanation or representation on the part of its diplomatic agents abroad.

That policy is founded upon justice and right, and involves various obligations and duties. If foreign powers deliberately assail and violate it, they cannot be ignorant of the results which must sooner or later attend any such infraction. It is only natural that the people of the United States should feel a deep concern for the fate of Mexico, from immediate neighborhood, from the nature of her political institutions, and from the common destiny which may be regarded, in the not far future, as the hope and aspiration of both.

An occasion may possibly happen when it will be proper for that feeling to be affirmed formally and distinctly, and we will be better prepared to exercise an effective influence at the opportune moment by a becoming reserve until it occurs. Intelligent and candid opinion will not misjudge us for avoiding unnecessary complications that might weaken our position, impair the value of our co-operation, and, perhaps, injure the rightful claim of Mexico to the sympathy and support of the friends of liberal institutions and constitutional government everywhere. Despotic rulers and the champions of absolutism have always regarded us with jealousy, disfavor, and distrust. Their instruments will be apt to pursue the work of misrepresentation until exhaustion succeeds to injustice. But if we continue wise in our conduct toward Mexico, experience may serve to correct some of these European errors, and to remove many delusions concerning the policy, purposes, and power of the United States.

I have the honor to be, sir, your obedient servant,

JAMES E. HARVEY.

Hon. WILLIAM H. SEWARD,
Secretary of State.

No. 192.

Mr. Marsh to Mr. Seward.

[Extract.]

No. 78.] LEGATION OF THE UNITED STATES,
Turin, August 17, 1863.

SIR: I have the honor to acknowledge the receipt of your instructions, (Nos. 77 and 78,) and to express my sincere thanks for the leave of absence so kindly granted me.

I have received from several of the ministry warm congratulations on the recent successes of the federal forces, though I have reason to believe that one or two members of the present administration are inclined to espouse the confederate cause. The hope of obtaining the cession of Venice from Austria, as one of the conditions of the establishment of an Austrian prince on the throne of Mexico, is not altogether without influence.

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I am, most respectfully, your obedient servant,

GEORGE P. MARSH.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c.

No. 193.

Mr. Seward to Mr. Wood.

No. 100.] DEPARTMENT OF STATE,
Washington, November 30, 1864.

SIR: Your despatch of the 24th ultimo, No. 173, was duly received. As you are aware that this government still maintains diplomatic relations with the republican government of Mexico, I regret to learn from your despatch that you had thought it not improper to exchange visits with the envoy of the so-called imperial government of that country to the courts of St. Petersburg, Stockholm, and Copenhagen, on the occasion of his recent visit to the latter place. The error on your part is quite excusable, because you were without instructions upon the subject. You will be expected, however, hereafter to bear in mind that you can know no government of any state but the one which is recognized by this department, and that only agents of governments which are acknowledged here can be treated by you as representatives of foreign powers.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

BRADFORD R. WOOD, Esq., *&c., Copenhagen.*

No. 194.

Mr. Seward to Mr. Campbell.

No. 8. DEPARTMENT OF STATE,
Washington, November 19, 1864.

SIR: It is understood here, with sincere regret, that Baron Wetterstedt has been ordered to Mexico on a mission of some character before coming to this country as the diplomatic agent of Sweden. It is proper that you should with-

out delay inform the minister of foreign affairs that the proceeding referred to is, for obvious reasons, far from satisfactory to this government, and that if it should not prevent the Baron's official reception here, it would certainly make him less welcome.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JAMES H. CAMPBELL, Esq., &c., *Stockholm.*

No. 195.

Mr. Fogg to Mr. Seward.

No. 50.] UNITED STATES LEGATION,
Berne, October 2, 1863.

SIR: Your despatch No. 44, marked "confidential," of the date of September 14, and enclosing a copy of a despatch dated September 11, to Mr. Motley, United States minister at Vienna, is received.

Having carefully read your despatch to Mr. Motley, permit me to say that the suggestions therein contained, and which seem to be intended as directions for all the United States diplomatic agents abroad, commend themselves to my judgment as eminently timely and wise. I cannot doubt that our government looks with intense interest upon the proceedings of the French government in Mexico. There can for a long time have been no doubt, in the minds of intelligent observers of the events there transpiring, that the Emperor of France is *now*, at least, if not at the commencement of this invasion, bent on supplanting a republican form of government by an imperial one, and that without *really* consulting the Mexican people.

That these proceedings will at some not very distant day demand and receive the attention of the people and government of the United States, I firmly believe. That no recognition of, or consent to, those proceedings will ever be extorted from our indifference or weakness, I as firmly hope. Having, as that expedition against Mexico did have, its origin in a scheme against the peace and integrity of the United States, it is due, not less imperatively to a sister and neighbor republic than to the dignity and character of our own government, that the invaders receive no aid or countenance at our hands. Begun in conspiracy, and prosecuted under false pretences, I trust to see no concessions or recognitions on the part of our authorities interposing to save this Mexican enterprise from the disaster and disgrace it so richly merits.

But it is not necessary that we do more at present than maintain a "masterly inactivity" in view of events transpiring in Mexico. It may not be advisable that we *protest* even, except by our silence. Our nation has work of its own which cannot wait. Its *present* duty is to save itself. Its *future* may be to save its neighbor, and vindicate the supremacy of republican institutions upon the American continent. I trust in Heaven it will. But for that future we can afford to wait, while we cannot now afford to throw down the gauntlet to any new foe.

With the highest respect and esteem, your obedient servant,

GEORGE G. FOGG.

Hon. WILLIAM H. SEWARD,
Secretary of State of the United States of America.

No. 39.

CORRESPONDENCE OF THE UNITED STATES CONSUL AT CHIHUAHUA, MEXICO.

List of papers.

No. 1. Mr. Creel to Mr. Seward.....Feb'y 23, 1865.
No. 2. Same to same.....March 17, 1865.
No. 3. Same to same.....April 6, 1865.
No. 4. Same to same.....April 13, 1865.
No. 5. Same to same, (with two enclosures).....August 15, 1865.
No. 6. Same to same.....Oct. 29, 1865.
No. 7. Same to same.....Nov. 6, 1865.
No. 8. Same to same.....Nov. 22, 1865.
No. 9. Same to same.....Dec. 9, 1865

No. 1.

Mr. Creel to Mr. Seward.

U. S. CONSULATE AT CHIHUAHUA, REPUBLIC OF MEXICO,
February 23, 1865.

RESPECTED SIR: I returned to this city on the first day of this month, having been delayed, on my trip to Santa Fé, a little longer than I anticipated.

President Juarez still occupies this city; he enjoys good health and professes to entertain great hopes of the ultimate success of the cause which he upholds, and for the benefit of which he is ready to make any kind of personal sacrifice. He is very much esteemed by all those who are personally acquainted with him. His ministers, Mr. Lerdo de Tejada and Mr. Iglesias, enjoy high reputations in this city. All three of these men lead a very quiet, economical, and becoming life; their morals appear to be pure, and certainly are not impeached, even by their enemies.

The authority of the President extends over all this State, and is recognized and obeyed in Sinaloa and Sonora.

He finds great difficulty in providing sufficient money to pay the expenses of his government. He gets no financial assistance outside of this State. The decrees for collecting war taxes are partially but not wholly successful: discontent attends the collection of moneys for military purposes.

A resort has been had to the coining of copper money; a daily profit of some five hundred dollars has thus been obtained. But this coinage admits only a limited issue.

General Negrete, the minister of war, is in personal command of the troops which now occupy the southern portion of this state.

* * * * * * * * *

The French have lately withdrawn their line from the frontier of this State, and instead of taking this capital, as many persons expected, have suddenly and hastily moved back to the vicinity of Durango.

In the State of Sinaloa they have lately experienced three defeats, and in the last one all the French prisoners were shot, in retaliation for the treatment which Mexican prisoners have received from the hands of French authorities.

The French are beginning to be a great bore to this community, having raised so many expectations of bringing manna from the heavens, and not have

ing yet realized the dream. Many Mexicans are beginning to have strong suspicions that the vaunted empire is, after all, a humbug.

I have the honor to remain, your obedient servant,

REUBEN W. CREEL,
United States Consul.

His Excellency WILLIAM H. SEWARD.
Secretary of State, &c.

No. 2.

Mr. Creel to Mr. Seward.

[Extract.]

No. 3.] U. S. CONSULATE AT CHIHUAHUA, MEXICO,
March 17, 1865.

RESPECTED SIR: The paper called the "Continental" is being now received in this consulate, and it will be placed for perusal in the hands of such men as can appreciate the ideas and principles advanced by that paper, and can disseminate the same among their countrymen.

* * * * * * * * *

There is no change in the political and military situation. General Negrete and his forces (2,500 men) are on the northern frontier of Durango, but are not at present advancing.

The French forces are posted on the river Nazas, fifty leagues north of the city of Durango. They also are stationary.

The States of Sonora and Sinaloa are still in the hands of the Juarez party.

The speculators in California already have an eye upon President Juarez, and an agent has arrived here, offering certain private assistance to defend Sonora, provided certain donations of public lands, &c., are granted for their benefit.

The President is in good health and firm in his ideas.

This State is all quiet, and although the taxes create a good deal of grumbling, yet, there are not many persons here so mean as to rebel under the present state of affairs. The President is not likely to leave Chihuahua until the usurpers drive him out. I do not think this people will ever turn their hands against him.

Persons from the central part of Mexico report that much dissatisfaction exists against the pretended empire, and that the opinion is very prevalent among the people that the usurpation cannot last. The persons referred to are merchants, and their report is entitled to some degree of credit.

I have the honor to remain, your obedient servant,

REUBEN W. CREEL,
United States Consul.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

No. 3.

Mr. Creel to Mr. Seward.

U. S. CONSULATE AT CHIHUAHUA, REPUBLIC OF MEXICO,
April 6, 1865.

RESPECTED SIR: The region of country which lies between the city of Durango and Monterey being at present unoccupied by the intervention forces, the people who live therein have declared their true sentiments by disowning,

attacking and imprisoning the civil authorities, who represented the humbug empire. The leaders of this movement have reported their acts and allegiance to President Juarez.

These circumstances have caused General Negrete to move across the right flank of the French position on the river Nazas, and to place himself in communication with the republicans of Mapimi, Parras, Eagle Pass, Matamoras, and other towns. The general will undoubtedly receive some re-enforcements and money from the points above mentioned.

The French, on the river Nazas, are reported to have received a slight re-enforcement.

No fighting has yet occurred.

Late news from Sinaloa speaks of small skirmishes, but nothing of importance has lately happened there. All is quiet in Sonora, so far as we can learn.

Profound tranquillity pervades the State of Chihuahua. The authority of the President is as much respected as any government ever has been by this people. Foreigners are very well treated, and even Frenchmen enjoy under this government a freedom of speech and action which would not be granted them in their own Paris.

The events now happening in the United States are watched here with great anxiety; and all the Mexicans think that if the great republic comes out whole from the present rebellion, that fact itself will preserve the republic of Mexico.

I have the honor to remain your obedient servant,

REUBEN W. CREEL,
United States Consul.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

No. 4.

Mr. Creel to Mr. Seward.

U. S. CONSULATE AT CHIHUAHUA, REPUBLIC OF MEXICO,
April 13, 1865.

RESPECTED SIR: Events of some importance have taken place in the State of Coahuila during the month of March last.

The people of that State having observed that very few troops belonging to Maximilian's party were stationed in their midst, judged the opportunity very appropriate for displaying in a striking manner their true political sentiments and tendencies. Acting under this impulse, they rose in many towns and districts against the monarchy, and in favor of the republic, and expelled or imprisoned the civil officers who had been placed over them by Maximilian. They also concentrated their forces and attacked the city of Saltillo, which is also the capital, and after whipping the imperial troops they captured that city, taking some prisoners, artillery, baggage, &c. These things happened in the latter part of March.

As soon as General Negrete learned these facts, he decided to endeavor to form a junction between his own army and the republicans in Saltillo and other parts of Coahuila. He therefore moved his forces eastward through the desert, and hurried by forced marches to gain Saltillo.

As soon as the French observed this movement, they left their camp at the river Nazas, and were hurrying to intercept the movement of General Negrete. A few days more must tell us the result of this campaign.

If General Negrete reaches Saltillo in safety, he will then command some 5,000 men.

Troops are now leaving this city to take up position on the frontier of Durango, and to menace that State and occupy the attention of the French.

Arms are now very scarce, and this want is very severely felt by this government.

Recruits are more easily obtained than heretofore, but the want of guns paralyzes everything very much.

The constancy and devotion of the President are extraordinary. If his executive talents be not very brilliant, surely his fidelity, under such trying circumstances, will lend a blaze of political glory to his official career.

I have the honor to remain, your obedient servant,

REUBEN W. CREEL,
United States Consul.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

No. 5.

Mr. Creel to Mr. Seward.

[Extracts.]

UNITED STATES CONSULATE AT CHIHUAHUA, MEXICO,
August 15, 1865.

RESPECTED SIR: In my preceding despatch I advised your excellency of the invasion of this State by a brigade of French troops, under the command of General Brincourt.

* * * * * * * * *

On the evening before leaving, the President delivered to me my commission and my exequatur.

On the 5th day of August, at 9 o'clock in the morning, President Juarez and his cabinet left this city, taking the road for the Paso del Norte.

I was present at the moment of his departure, in order to show him that respect which you have heretofore approved.

* * * * * * * * *

General and Governor Ojinaga, with a few troops, remained in this city a few days after the departure of the general government. Before leaving he ordered all civil, military, and municipal authorities to cease; and ordered the citizens to organize for public safety.

To obtain that object a committee of foreigners was elected, and I was invited to become one of them, but refused to have anything to do with that business, for reasons not necessary to state.

On the 10th of August Governor Ojinaga evacuated the city, leaving us to protect ourselves.

* * * * * * * * *

The committee of public safety decided to send an express to the French general, who was within one day's ride of this capital, to solicit assistance; the committee invited me to sign their petition, but I refused to do it. At their request (they were all foreigners) I gave them a certificate of the facts which occurred that night, and they enclosed it with their letter to the French general.

On the night of the 11th, the answer of the French general was received.

He fell into the error of considering me as one of the committee of public safety, and directed his reply to me.

He says that he would march immediately to protect the people of this city from disorders. He requests me and my companions to keep order till his arrival. He enclosed me a few proclamations directed by him to the people of

Chihuahua. As there was no authority of any kind in the city, I deemed it my duty to place these proclamations in the hands of foreigners and Mexicans, telling them to read and to judge for themselves.

I enclose one of these strange proclamations, marked No. 1. In it no mention is made of Maximilian nor of the empire, but the republican party is classed generally as robbers, who are to be punished by troops under the command of a French general.

On the 13th instant the French vanguard entered this capital. They met no reception from the Mexicans which could indicate any political sentiment in favor of the military occupation, or of the empire. On the 15th of August General Brincourt entered this city; but no sentiment except that of curiosity was to be observed.

The troops now in this city, with those in other parts of the State, must reach near three thousand men, all of them French veterans, zouaves, chasseurs de Vincennes, chasseurs de la France, chasseurs d'Afrique, and troops of the line.

The triumphal arches and the flowers have not been yet offered, but perhaps the French can get up those things hereafter, by paying for the work, or by bribing and gifts of office.

A company of French soldiers, who were left in Parral, in the southern part of this State, has been surprised in the middle of the night by Mexicans under the command of General Corona, and the French were cut to pieces.

Corona is from the State of Sinaloa, and has his headquarters in the mountains. General Patoni is also in the mountains, but the number of their troops is not precisely known.

The French general does not bring a single Mexican soldier.

I believe that the French officers are well convinced that the Mexicans are not to be relied upon.

The French officers speak very frankly about this intervention in Mexico, and some of them have said in presence of foreigners that they consider their expedition in this republic as the great error of the reign of Napoleon.

Mails are now suspended, and I send this by private hands.

I have the honor to remain your obedient servant,

REUBEN W. CREEL,
United States Consul.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

[Translation.]

[Proclamation No. 1.]

General Brincourt, commanding a brigade of the French army, to the inhabitants of Chihuahua:

The column under my command, being ordered to march through the State of Chihuahua, has for its mission the ridding the country of those men who, without faith or courage, cause the ruin of its inhabitants by withdrawing the *peons* from the farms, taking them a great distance from their homes, and causing them to die from thirst and hunger in the deserts.

These so-called liberals threaten the liberties of every one; they fly whenever battle is offered them; they rob every one they meet on their way, and there, perhaps, is not a family whom they have not dishonored and reduced to want. We present ourselves to you, as friends and as brothers.

Frenchmen are the first among the supporters of liberty; they will respect your opinions; they will permit you to choose your authorities; they will ask nothing from you; on the contrary, they will pay for whatever they may consume, and, finally, they will conduct themselves in the State of Chihuahua as

they have conducted themselves everywhere—that is, as true soldiers and men of honor. Mexicans, look to your own advantages; come to us in confidence, for we protect all those who are oppressed, and the highwaymen alone have cause to fear us; let your most honored citizens assemble to designate those who, being worthy of your confidence, shall be charged with the municipal authority. Your vote shall be free and respected by us.

JULY —, 1865.

The general commanding the French column,

BRINCOURT.

HEADQUARTERS, FRANKLIN, TEXAS, *August* 31, 1865.

SIR: I have the honor to state that the enclosed package was handed to me by a gentleman from Chihuahua when I was surrounded by a crowd of persons, and from the man's manner I supposed it was intended for me, and without looking at the superscription I hastily tore open the envelope. I presume it is needless for me to state that I have not perused its contents.

I am, sir, very respectfully, your obedient servant,

D. H. BROTHERTON,
Capt. 5th Infantry U. S. A., Commanding.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

No. 6.

Mr. Creel to Mr. Seward.

U. S. CONSULATE AT CHIHUAHUA, REPUBLIC OF MEXICO,
October 29, 1865.

RESPECTED SIR: On the 2d of this month a strong detachment, composed of infantry, cavalry, and artillery, accompanied with a large train, left this city and returned to the interior, being ordered to report at the city of San Luis Potosi. In the course of the month other detachments have moved off to the south, and finally, on yesterday morning, General Brincourt and his command abandoned this city, taking with him all his stores and military property, and returning upon the same road upon which he made his advance. It is probable that in a few days not a single French soldier will be left on the soil of this State.

The officers and soldiers upon leaving freely and plentifully cursed a state of affairs which keeps them running from point to point in order to establish peace which is continually falling to pieces.

All the Mexicans who swore allegiance to the empire, and who took office under General Brincourt, have fled in company with the French.

If the people are in favor of the empire, why do these officers run away?

To-day the liberals command in this city. I think that in a few days they will be in office in all parts of the State.

President Juarez has now no organized forces in this State, and therefore the return of the liberals to office and authority cannot be due to any military pressure, but must be attributed to the spontaneous exercise of the will of the people.

During the permanence of the French general in this city no public ball or dinner was given to him, because the respectable ladies refused in the most positive manner to be present.

I have the honor to remain your obedient servant,

REUBEN W. CREEL,
United States Consul.

His Excellency WILLIAM H. SEWARD,
Secretary of State, Washington.

No. 7.

Mr. Creel to Mr. Seward.

U. S. CONSULATE AT CHIHUAHUA, REPUBLIC OF MEXICO,
November 6, 1865.

RESPECTED SIR: I have to-day received the communication from the department, dated October 3, wherein I am notified of the reception of my despatch, No. 7, of June 29, no mention being made of various other despatches sent during July and August, and which ought to have arrived before the 3d of October. I am, therefore, led to believe that they have miscarried. These missing despatches contain an account of the arrival of General Negrete;

* * * * * * * * * * * *

the advance of the French under General Brincourt into this State; entrance of the French into Chihuahua, (vanguard August 13, main-body 15th;) conduct and feeling of the people; good conduct of the French when viewed as soldiers; their foolish conduct when meddling in politics; their failure to establish any government in this State; and, finally, No. 15 gives an account of the evacuation of this city and of the retreat of the French.

American citizens are desirous to know whether our government will give them any protection against these forced loans, which are here considered illegal and unjust, and which may be again and very soon put in execution. If the peculiar circumstances of this country render it impossible to grant any present protection, the citizens desire to know the extent of their misfortune, that they may suffer in silence what cannot be remedied by complaint. The French are still retreating, and are now all in the southern part of the State; in a few days, perhaps, and probably they will all be gone into Durango.

Desertions are very numerous, the French soldiers running away and presenting themselves to the Mexicans with entire confidence, which is well merited, for the Mexicans treat them in the most becoming manner.

Mr. Luis Terrazes is our present governor and military commandant. He is appointed by the supreme government, having previously been elected by the people, and to-day enters into office. He is the popular man of the State, and can do a great deal if he sets himself earnestly to work; and there is a chance of his acting so, for the retreat of the French inspires the liberals with hope. The President is expected to return to Chihuahua in a few days. He will be well received.

As the French move away, the liberals quietly take back their offices and authority. No soldiers are needed to effect this; *the will of the people does it.*

The French general had shown his ignorance of the principles of justice by carrying away into captivity Mr. Escobar, the young man who was sentenced to sweep the streets of this city for one month for peaceably expressing his political sentiments. Mr. Escobar had already served out the full term of his punishment, still the general refused to release him, but carried him off, making him march on foot, thus inflicting a second and indefinite punishment for an offence already expiated.

It is rumored that the French are leaving all their advanced positions and falling back to a line embracing the cities of Durango and San Luis Potosi. Whether this be true or not, I feel authorized to say that the position of the French near our frontier is for them very unsafe, because the desertions are very numerous, the soldiers having a great wish to go to the territory of the United States.

I have the honor to remain your obedient servant,

REUBEN W. CREEL,
United States Consul.

His Excellency WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

No. 8.

Mr. Creel to Mr. Seward.

U. S. CONSULATE AT CHIHUAHUA, REPUBLIC OF MEXICO,
November 22, 1865.

RESPECTED SIR: The French have completely abandoned this State, and throughout the length and breadth thereof the republicans are in the possession of office, the change having been effected in the most quiet and instantaneous manner. The political edifice which General Brincourt attempted to erect fell to pieces the moment his troops were withdrawn, amidst the laughter and derision of the people who witnessed the extraordinary spectacle.

On the 20th instant President Juarez, accompanied by the ministers of the cabinet and a few military officers, entered this capital on his return from the Paso del Norte. He was received by the State and city authorities, and by the citizens generally, in the most becoming manner. The ladies, especially, availed themselves of the opportunity to manifest publicly their respect for the chief magistrate, and their devotion to the independence of their country.

There will be great difficulty in raising more troops in this State; there are no arms, no money, no credit, and the military spirit is dead, dead, dead.

Above all, good officers are needed; such as are present here deserve to be classed as absolutely useless; yes, worse than useless, because they will not fight, but, if sent on any commission, neglect the enemy, and pay all their attention to the property of their own countrymen.

This statement is absolutely true.

On the last day of this month the presidential term expires.

In November of last year official letters were exchanged between the President and General Ortega, respecting the date of the legal expiration of the presidential term, and also concerning the legal and proper successor of the present incumbent.

In those papers General Ortega was officialy and formally recognized by the government to be the president of the supreme court, and that on the expiration of the term of President Juarez the executive office would be delivered into the hands of the said Ortega.

But since that time a great change has taken place in the ideas of President Juarez. In the Paso del Norte, on the 8th instant, he issued a decree, declaring General Ortega to be a deserter from his civil and military duties, and to have forfeited all right to claim the presidency.

Secondly. He declares the executive authority to be vested in himself until such time as the prevalence of peace may enable a general election to be held for a new President.

I notice that many persons consider this decree as unjust and illegal; but no violent opposition is likely to be offered until such time as Ortega may present himself upon the frontier and claim to act as President.

Whenever that happens bitter discords will be introduced into the ranks of the liberal party, and their bad effects may be felt in this State as well as elsewhere. I enclose the decree and printed circular marked enclosure No. 1.

I have the honor to remain your obedient servant.

REUBEN W. CREEL,
United States Consul.

His Excellency WILLIAM H. SEWARD,
Secretary of State, Washington.

No. 9.

Mr. Creel to Mr. Seward.

U. S. CONSULATE AT CHIHUAHUA, REPUBLIC OF MEXICO,
December 9, 1865.

RESPECTED SIR: The mercenaries of Maximilian have again invaded this State, and are now rapidly advancing upon this capital. Juarez and his cabinet are to-day leaving for the Paso del Norte; Mr. Terrazas, the governor, will also abandon this city, and will try to uphold republican authority in the small towns.

Three hundred troops are all that the governor now has at his disposal. How much more assistance he can obtain from the country people remains to be seen in the future.

It is the same tale, so oft repeated during this intervention, foreign troops chasing the Mexican authorities away from their homes and their rights.

I have the honor to remain your obedient servant,

REUBEN W. CREEL.

His Excellency WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

APPENDIX.

No. 40.

CORRESPONDENCE TRANSMITTED BY THE PRESIDENT OF THE UNITED STATES TO THE HOUSE OF REPRESENTATIVES WITH HIS MESSAGE OF APRIL 23, 1866, IN REGARD TO THE EVACUATION OF MEXICO BY THE FRENCH.

List of papers.

No. 1. Mr. Bigelow to Mr. Seward, (with six enclosures) .. December 21, 1865
2. Mr. Bigelow to Mr. Seward ..... January 5, 1866.
3. Mr. Bigelow to Mr. Seward, (with an enclosure) ... January 11, 1866.
4. Mr. Hunter to Mr. Bigelow ..... January 15, 1866.
5. Mr. Hunter to Mr. Bigelow ..... January 25, 1866.
6. Mr. Bigelow to Mr. Seward ..... January 26, 1866.
7. M. Montholon to Mr. Seward, (with one enclosure). January 29, 1866.
8. Mr. Seward to Mr. Bigelow ..... January 29, 1866.
9. Mr. Bigelow to Mr. Seward ..... January 30, 1866.
10. Mr. Bigelow to Mr. Seward ..... February 1, 1866.
11. Mr. Bigelow to Mr. Seward ..... February 1, 1866.
12. Mr. Seward to Mr. Bigelow .. .. February 6, 1866.
13. Mr. Bigelow to Mr. Seward ..... February 8, 1866.
14. Mr. Bigelow to Mr. Seward, (with two enclosures).. February 9, 1866.
15. Mr. Seward to Mr. Bigelow ..... February 10, 1866.
16. Mr. Bigelow to Mr. Seward ..... February 12, 1866.
17. Mr. Seward to M. Montholon..... February 12, 1866.
18. Mr. Seward to Mr. Bigelow ..... February 12, 1866.
19. Mr. Seward to Mr. Bigelow ..... February 12, 1866.
20. Mr. Bigelow to Mr. Seward ..... February 15, 1866.

21. Mr. Seward to Mr. Bigelow ..... March 1, 1866.
22. Mr. Seward to Mr. Bigelow ..... March 2, 1866.
23. Mr. Seward to Mr. Bigelow ..... March 2, 1866.
24. Mr. Seward to Mr. Bigelow ..... March 5, 1866.
25. Mr. Seward to Mr. Bigelow ..... March 5, 1866.
26. Mr. Bigelow to Mr. Seward ..... March 6, 1866.
27. Mr. Seward to Mr. Bigelow ..... March 20, 1866.
28. Mr. Bigelow to Mr. Seward ..... March 22, 1866.
29. Mr. Seward to Mr. Bigelow ..... March 23, 1866.
30. Mr. Bigelow to Mr. Seward ..... April 6, 1866.
31. M. Montholon to Mr. Seward, (with one enclosure). April 21, 1866.
32. Mr. Seward to Mr. Bigelow ..... April 21, 1866.
33. Mr. Seward to M. Montholon ..... April 23, 1866.
34. Mr. Seward to Mr. Motley ..... March 19, 1866.
35. Mr. Seward to Mr. Motley ..... March 19, 1866.
36. Mr. Seward to Mr. Motley ..... April 6. 1866.
37. Mr. Seward to Mr. Motley ..... April 16, 1866.

No. 1.

Mr. Bigelow to Mr. Seward.

No. 228.] LEGATION OF THE UNITED STATES,
Paris, December 21, 1865.

SIR: The message of President Johnson at the opening of Congress has been received here with almost unanimous expressions of approval by the press, notwithstanding the wretched translation in which it was swathed at its birth into the French tongue. A desire to tranquillize the public mind at a moment when news from Washington was expected with great solicitude, no doubt, led many of the organs of public opinion to exaggerate a little the pacific and friendly tenor of the President's language. Every allowance made, however, for such considerations, you cannot fail to remark the unexceptionable tone with which it has been generally greeted. It has placed our government and policy, both foreign and domestic, before the world in an attitude which challenges universal respect.

I enclose extracts from the representative journals of Paris, by which you can judge the spirit of all. My impression is that the passage which refers to our relations with France and Mexico will involve an early change in the relations between those two countries, or else a still graver change in the relations of France with the United States; for, whatever may be the language held by the press upon the subject, it is impossible that the French government should not infer from the President's language that the policy of our government is not only unfavorable to, but inconsistent with, a long continuance of French authority in Mexico.

I am, sir, with great respect, your very obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD, *Secretary of State, &c.*

No. 1 A.

[From the Constitutionel of December 17, 1865—Administration.]

[Translation.]

Although we do not yet possess the text of President Johnson's message *in extenso*, the analysis of it, furnished by the telegraph, is sufficient to enable us already to appreciate its general character.

With regard to the European powers, in particular, the thoughts of the Chief Magistrate of the American Union are clearly set forth. Mr. Johnson declares that it shall be his constant aim to maintain peace and friendly relations with foreign nations; and he adds, that he believes those nations to be actuated by a like disposition towards the United States.

The acts of the government at Washington had beforehand confirmed these declarations of the President. Since the close of the war the effective force of the army and navy of the United States has constantly undergone extensive reductions, and no later than yesterday the American news contained the announcement of the discharge of several volunteer regiments from the northern States, and of a decrease of two-thirds in the number of workingmen employed in the naval arsenals. These measures constituted in themselves an emphatic denial to the assertions of certain American journals, who have at all times made a trade of exciting public curiosity by means of sensation rumors. The language of the President, therefore, is but the official expression of a thought already manifested in acts.

Mr. Johnson has, moreover, seen fit to lay down, with regard to foreign nations, a rule to which none of the enlightened governments of Europe will refuse to subscribe. He has declared, as did most of his predecessors, his purpose of maintaining the traditionary policy of the United States, consisting in non-interference in the internal affairs of European nations, and demands that on their part European nations shall observe a similar conduct towards the American Union. He adds: "We should regard it as a great calamity to ourselves, to the cause of good government, and to the peace of the world, should any European power challenge the American people to the defence of repulicanism against foreign interference." This passage was doubtless written with the sole object of giving some satisfaction to that over-excited portion of the American public who derive their political views from the newspapers above referred to. We would seek in vain, indeed, to discover which of the nations of Europe can ever have conceived the thought of interfering in the internal affairs of the United States. We know of none against which American citizens may one day be called upon to defend their institutions.

The President's message could not remain silent on the discussion created between England and the United States by the arming of vessels of English origin, which after leaving English ports, hoisted the confederate flag, and inflicted serious damage upon the commerce of the United States. The President surrenders none of the claims set up by the cabinet at Washington on this point, but wisely contents himself with propounding a question of general interest, the solution of which he claims would be of importance for all nations. He acknowledges, moreover, that England entertains but kindly dispositions towards the United States, and declares to be himself actuated by a sincere desire to maintain peace between the two countries.

So far as the telegraphic analysis enables us to judge, the message of the President of the United States contains, therefore, none but the most reassuring declarations concerning the continuation of friendly relations between the great republic of the New World and the European powers. We shall soon have occasion to study this message in view of its internal policy, and of what is conventionally called in America *reconstruction*, viz: the position of the late Confederate States towards the States which have victoriously upheld the cause of the Union.

H. MARIE MARTIN.

No. 1 B.

[From the Journal des Debats of December 18, 1865—Orleanist.]

[Translation.]

The history of the United States since the civil war, and in consequence of that war, is destined to become more and more mixed up with that of Europe. The same force which has saved the Union has the power to make her expand by the unavoidable progress of its action and of its influence abroad. Before the war, no one would have dared to question the agricultural, commercial, and industrial prosperity in store for the American Union. Since the war, a still more important field appears to open before the nation of which M. de Montalembert said recently, "the American federation is, henceforth, replaced among the great powers of the world; all eyes will henceforth turn to it; all minds will be taught by the light of its future, for that future shall be more or less our own, and its destiny will perhaps decide ours."*

Let us not go so far. The rivalry of influence and the reciprocity of action between the American Union and Europe are not a new thing. On neither side have they yet assumed the character of a propagand. America has not sought to affect the customs or laws of Europe; neither has Europe attempted to weigh upon the institutions of America. The famous declaration of President Monroe, whose true date (1823) has recently been restored to it by Mr. John Lemoinne, who also determined its meaning, was a purely defensive declaration, intended to assign a limit to the attempts at legitimist restoration, then being carried out upon Spanish soil. To restore the divine right upon the throne of Spain was, of itself, a heavy undertaking; to restore it in Peru or Chili with the aid of French vessels was a pretension which no one would have thought of. President Monroe, nevertheless, laid down, in opposing visionary events, an international doctrine full of vitality.

France has always pretended to act abroad through the influence of her ideas and of her customs; this is right. The genius of France inclines to proselytism; it is generous, expansive, often disinterested. But in the present state of the world the door is everywhere open to liberal ideas, and contrary views obtain access but by force. The Americans of the north are the greatest producers of liberal ideas in the world, and therefore, in the noble interchange of them which is going on among nations, America seems called to a superiority which it will be easier to balance than to oppose. The generous emulation of liberty will do more towards it than overt force.

Those who, like us, bend under the weight of nearly the whole of the waning century have but few lessons to receive from the American Union. What could they do with them? After being a sincere monarchist all through life, one remains so. It is too late to change one's ideas. Constitutional monarchy, when one has placed in it one's confidence and faith, is, moreover, a great enough progress compared with the government by divine right, to permit one not to wish for more. There is, therefore, a whole generation whose political opinions remain uninfluenced by the spectacle of the triumph of the republican principle in the United States, but beware of the influence of such an example upon the generations which follow us; beware, especially, of its influence upon the masses, animated and sustained in their forward march towards the future by the stimulus of equality; a rail-splitter, as they say in speaking of Lincoln—a self-made man, who from being an obscure lawyer in Illinois, became a representative of his country, then President of the Union, *i. e.*, supreme chief of the executive power of the most powerful republic of the world. And once upon this summit

*La Victoire du Nord aux Etats Unis, by Count de Montalembert.

in the midst of the most formidable dangers, losing neither his coolness nor his foresight, nor his respect for legal restraints; preserving in spite of all attacks his stoical good temper and his resolute philanthropy; carrying on a desperate war upon an immense scale, improvising armies provided with inexhaustible resources, and commanded by generals whose names are now among the greatest in the world. What a sight, even though death has by a felon's hand added to it its sting.

No. 1 C.

[From the Siecle of Tuesday, December 19, 1865—Democratic.]

[Translation.]

Another discourse was not less impatiently looked for than that of the King of Belgium—we mean the message of the President of the United States. This document is usually very long. We hasten to the part of it which interests us the most—that relating to foreign affairs.

After referring to the good state of the relations subsisting between the American government and other powers, the message declares that since its foundation the republic of the United States has made it a rule not to interfere in the revolutions of which Europe was the theatre, and to follow the advice of Washington, "to commend the republic only by the careful preservation and wise use of its benefits." By their own moderation the United States have the right to expect that we should respond by a similar moderation. They will not deviate from the path which they have followed, unless they are forced to do so by the aggression of European powers. They count upon the wisdom and justice of these powers to respect the system of non-intervention, which during so long a period was sanctioned by time, and which, owing to its happy results, was approved on both continents.

This reciprocity, in truth, constituted the entire Monroe doctrine.

There is a passage in this part of the message which we will take pains to illustrate. It is that in which President Johnson—using a language which no one will think exaggerated—praises the results of American institutions:

"Here is the great land of free labor, where industry is blessed with unexampled rewards, and the bread of the working-man is sweetened by the consciousness that the cause of the country is his own cause, his own safety, his own dignity. Here every one enjoys the free use of his faculties, and the choice of activity as a natural right. Here, under the combined influence of a fruitful soil, genial climes, and happy institutions, population has increased fifteen-fold within a century. Here, through the easy development of boundless resources, wealth has increased with two-fold greater rapidity than numbers, so that we have become secure against the financial vicissitudes of other countries, and alike in business and in opinion are self-centred and truly independent. Here, more and more care is given to provide education for every one born on our soil. Here, religion, relieved from political connexion with the civil government, refuses to subserve the craft of statesmen, and becomes in its independence the spiritual life of the people. Here, toleration is extended to every opinion in the quiet certainty that truth needs only a fair field to secure the victory. Here, the human mind goes forth unshackled in the pursuit of science to collect stores of knowledge, and acquire an ever-increasing mastery over the forces of nature. Here, the national domain is offered and held in millions of separate freeholds, so that our fellow-citizens, beyond the occupants of any other part of the earth, constitute, in reality, a people. Here exists the democratic form of government, and that form of government, by the confession of European statesmen, gives a

power of which no other form is capable, because it incorporates every man with the state, and arouses everything that belongs to the soul."

Why should we be astonished if the American people be faithful to their institutions, and declare themselves willing to make every sacrifice to maintain them? This sentiment has no need of the name of any man; it is known throughout all time, and is everywhere called by the same word, patriotism.

No. 1 D.

[From the Epoque, 19th December, 1865—Liberal.]

The message of President Johnson to the Congress of the United States is today entirely known. Notwithstanding a translation hastily made, and in certain parts confused as by design, the Havas agency has enabled France to read and to consider this long dissertation, in which the successor of Abraham Lincoln gives proof of the highest qualities of the statesman and the grandest virtues of the citizen. If we may judge by what we have felt in reading this document, great must have been the emotion of the members of Congress, assembled for the first time since the end of the rebellion, when they heard the words of the President. There are, indeed, ideas which can only be born and strenghtened in certain lands, where liberty, so to speak, forms a part of the common air, and the members of Congress must have been justly proud at the thought that they lived in a medium so privileged.

What is especially striking in the message of Mr. Johnson is the contrast between the President, as he appears to us, and the man of whom so repulsive a portrait was but recently drawn by certain sheets. We were shown a sort of demagogue, thirsting for absolute power, eager for vengeance, ready to plunge his country into all adventures; and now we see a citizen bearing, without seeming to bend beneath the weight, the burden of a fearful responsibility, having accepted resolutely the heritage of Abraham Lincoln, and coming freely before the representatives of a free people to render an account of his stewardship.

He has but one ruling thought, which may seem strange in Europe, after having in less than one year restored the Union, reduced the war estimates from five hundred and sixteen millions of dollars to thirty-three millions, diminished in an equivalent proportion the navy estimates, provided for the extinguishment in thirty years of the public debt, amounting to $2,740,854,754, taken measures to withdraw rapidly from circulation the paper money; in one word, after having rendered immense services to the republic, he thinks of but one thing—to show that the honor of all these reforms is due to the law, which he has always respected.

The law and the Constitution. There is the proper, the just, the sovereign remedy. Four days before the opening of Congress, Mr. Johnson had restored almost everywhere the *habeas corpus;* and yet, as stated by a New York journal, one would scarcely have imagined that this guarantee was suspended. But it was still too much to have in possession an arbitrary instrument, even when no use was made of it, for Mr. Johnson thinks, with the journal already quoted, "a free government is not defined by saying it is one which commits no act of tyranny. To complete the definition, it must be added that it is one under which tyranny is impossible."

The presidential message comprises three principal points of great interest for us. These treat of the reconstruction of the south, of the negro question, and of the foreign question.

In the first of these questions Mr. Johnson maintains that those States included among the States that entered into secession were not in fact in rebellion as States, as, from the very first, the acts of secession of the States had been by

the terms of the Constitution declared null and void. They should hence be considered as acts engaging only the responsibility of the individuals who had committed them. This theory, which takes up and resolves one of the most important questions of American constitutional law, explains why, as a skilful politician, Mr. Johnson has not wished to subject longer to the military rule the insurgent portions of the United States.

According to him, the military governments established in the States could only increase the discontent of former rebels, divide the people into conquerors and conquered, create a fatal precedent, be a source of ruinous expense to the Union, and, finally, arrest emigration towards the south, upon which the President greatly relies to heal the wounds of civil war; "for" says he, perhaps doing us too much honor, "what emigrant from abroad, what industrious citizen at home, would place himself willingly under military rule?"

He has, therefore, sought to reorganize the States on a constitutional basis, causing them to enjoy at once and anew the benefits assured by the Union. He recognizes that this policy is not without danger, as it implies the acquiesence of the States concerned, and the taking of a new oath of allegiance to the Union on the part of those States; but between two evils he has chosen that which may spring from the generosity of the conqueror. He expects, however, that the States shall give a pledge to the Union in consenting to ratify the project of amendment to the Constitution, which provides for the final abolition of slavery. He makes it known that the past can only be forgotten at that price.

The part of the message relative to the relations to be established between the freed blacks and the central government is not inspired by less sagacity and less respect for law. If by his words Mr. Johnson has indeed shown that he was favorable to the project of making electors of the freedmen, he has not been willing to violate the Constitution, and concede, by a presidential act, the electoral right to men of color. The Constitution prescribes that each State shall be the sovereign dispenser of its rights of suffrage; and it is only little by little, it must be remembered, that universal suffrage has become almost the general rule. It belongs, therefore, to each State, according to him, to resolve this question; and he hopes that this method will hasten the period of equality more than the intervention of the central government would do.

On this point, while rendering justice to the motives which have dictated the words of the President, and while approving his scruples, we cannot but form a wish. We hope that Congress, all-powerful in this matter, should do what the President has done well in not imposing. Two means, entirely constitutional, present themselves, in fact, for the attainment of the proposed end: 1st. Congress can amend the Constitution, and without occupying itself with the organic laws of each State, can declare, by a vote, that no State can introduce into its laws distinctions based on race and color. 2d. It can refuse admission (under article four of the Constitution, which obliges the States to have a republican form of government) to the senators and representatives of those States which shall not, in their new constitutions, have recognized the equality of the races; for if, in former times, the word "republic" has been coupled with the word "slavery," this monstrous confusion of terms is impossible to-day.

After the exposé of the domestic situation which we have been only able briefly to resume, Mr. Johnson passes to the foreign question, and it is somewhat surprising to see him by a trait of humor, peculiar to the genius of American politicians, commence by congratulating himself upon the friendly relations entertained between the United States with the Emperor of China. After the Son of Heaven, came the Czar and the Emperor of Brazil. These are friends. As to England, the message does not conceal the fact that in recognizing the insurgents as belligerents, in furnishing to the rebellion vessels constructed in English ports, manned by English seamen, she has given occasion for serious

complaints, further aggravated by her refusal to submit this question to international arbitration. The government of Washington, however, is not in pursuit of pecuniary reparation. It wishes to have discussed by a tribunal of nations the grave questions of the rights of neutrals. The message, however, does not counsel to Congress any demand for satisfaction; it limits itself to warning England that in future "the friendship between the two nations must repose upon the basis of mutual justice."

If the English journals have appeared satisfied with this part of the message, as the semi-official journals declare themselves no less delighted with the reserve of Mr. Johnson, in what concerns France and Mexico, we are less disposed, for our own part, to such rejoicing.

The message for any one who can read is a declaration very clear, very firm, although very moderate, of the will of the government of the United States to maintain its traditional policy—in other words, to sustain the Monroe doctrine. The translation given by the Havas agency contains in this part a mistake so much the more to be regretted, as it is of a nature to prevent the public opinion from being rightly informed. Thus this agency makes the President say that he would regard it as a calamity for the peace of the world "that any European power should throw the glove to the American people, as if for the defence of republicanism against foreign intervention," which signifies nothing at all; while the text reads, "should any European power challenge the American people, as it were, to the defence of republicanism against foreign interference." The formal reserves made by President Johnson take from this declaration little of its gravity.

This is not the language of a man who wishes to satisfy rancors, and achieve an easy popularity by flattering the bad instincts of national vanity. It is the grave and reserved utterance of the most authoritative representative of a people who wish not to embroil themselves heedlessly, but who are resolved not to see compromised, in any case, a liberty so well conquered, so dearly preserved, and to which it owes its happiness and strength.

H. PENARD.

No. 1 E.

[From the Gazette de France, December 21—Legitimist.]

[Translation.]

The message of President Johnson begins with these words: "My first duty is to express, in the name of the people, my gratitude to God for the preservation of the United States."

This is a public prayer. It is a profession of religious faith in the power of God over earthly things. Atheists, free-thinkers, and doctrinaires of moral independence may say what they will on the usefulness of the people acknowledging a Supreme Being, just and good. This public acknowledgment by the head of a great people is of a nature to make a vivid impression on the mind of those to whom it is addressed, despite their railleries. There is no more imposing spectacle than that of a sovereign bowing before the majesty of God in the name of the entire people.

The chief of the republic of the United States did not believe himself guilty of a childish credulity in speaking as he did. On the contrary, he was convinced that he showed proofs of manliness of spirit in referring to the "intervention of Providence in human affairs." That which has frequently misled Europe in the predictions which she has formed of American affairs is, that in order to judge of the progress of events, she does not take into account the religious sentiment which animates the American people.

It was for this reason that so many in France believed that the reaction against the conquered would be followed up with an implacable and bloody spirit, and that liberty would succumb in the infinite calamity of civil war. The Americans possess passions more intense, perhaps, than ours, but they are certainly of a different kind.

In Europe, the first movement of states, after a similar crisis, had been to constitute what is called a strong power, to surround it with all suitable material means to render it formidable, terrible. In the United States, the first duty of the head of the republic, who is called to the head of affairs by an odious assassination, was to reduce all the appurtenances of material force to their simplest expression, to re-establish the universal laws of liberty, to cause to disappear every symbol which would recall the existence of arbitrary rule in the minds of the people. What the President fears above all is, that the principles of liberty, upon which the Constitution rests, be undermined in the future. He vehemently recalls to mind the farewell which the Father of his Country gave to the people of the United States, when he was yet President, "the free Constitution, which was the one work of the nation, must be maintained inviolate and sacred." He saw in the maintenance of a strong army danger; he reduces it to 50,000 men. "Military governments," he says, "established for an indefinite period, would have offered no security for the early suppression of discontent; would have divided the people into vanquishers and the vanquished, and would have envenomed hatred, rather than restored affection. Once established, no precise limit to their continuance was conceivable."

"The wilful use of such powers, if continued through a period of years, would have endangered the purity of the general administration and the liberties of the States which remained loyal. Besides, the policy of military rule over a conquered territory would have implied that the States, whose inhabitants may have taken part in the rebellion, had by the act of those inhabitants ceased to exist."

"But if any State neglects or refuses to perform its offices, there is the more need that the general government should maintain all its authority, and, as soon as practicable, resume the exercise of all its functions. On this principle I have acted, and have gradually and quietly, and by almost imperceptible steps, sought to restore the rightful energy of the general government and of the States."

We see the President fears but one thing: it is, that the civic life be weakened, that the mind of the people, under the influence of excess of confidence caused by victories, should assign to the army a power which does not belong to it in a free country.

To reanimate the civic virtues and the energy of local governments, such is the work which the President of the United States assumes. And he presents this noble undertaking, very naturally, as the only means to revive prosperity in the republic. He believes in the efficacy of liberty as a safeguard to order in a nation of freemen, just as he believes in God and the interposition of Providence in human affairs.

This is the striking character of this document, and it is most remarkable in that respect. Now, indeed, when the theory of right as the basis of order and progress are in such favor, it is interesting to reflect upon this noble defence of the contrary theory, and to carefully notice that these are not mere words, but that it is a man struggling with real facts, and in the face of one of the most formidable of political and social crises, who says that liberty is the best foundation for order, and asserts, that when states lose that faith, it is the duty of their chiefs to try to revive their energies.

GUSTAVE JANICOT.

No. 1 F.

[From Le Monde, (Ultramontane,) December 19, 1865.]

President Johnson has treated at length the domestic question of the United States. The three serious points of this question are, the seceding States—the negroes—the finances. The seceding or rebel States have been received to pardon. It seems even that the intentions of the President were friendly. In his message he allows the partisans of the south to re-enter the Union, with all their rights; he details the inconveniences of perpetual military rule in a certain number of States; he prefers, in replacing these States under the law, to open the door to emigration, and thus to substitute successively free labor to slave labor. This passage of the message is a seductive appeal to emigration towards the southern States. It is to be regretted that in practice the southern people have not been treated so well as in words; the representatives of these States have not been admitted to Congress. The division which the President desires to obliterate by the exercise of his sovereign right of pardon exists in its entirety. Mr. Johnson may talk in vain of the Americans being brothers; they are divided into conquerors and conquered.

The blacks, on their side, are the object of the philanthropic theories of the President—theories which have scarcely any echoes in reality. We can hardly recognize in those famished gangs, wandering on the highways—in these houseless beggars whom our correspondents describe—free citizens of free America. One is led to doubt whether the dream of Mr. Johnson will ever be realized, when we see the contempt in which these proud republicans hold the African race. Free labor is not organized; empirical or radical projects gain favor—such as the expulsion of the blacks, their colonization, &c. The President is evidently disquieted by this question. It may be the cause of painful troubles; it may, by requiring severe measures, take from the United States a portion of their philanthropic prestige. In connexion with this question, the President makes an admission which is confirmed by a remark made by him in speaking of the finances. The southern States were, under the old arrangements, closed to northern emigrants: free labor found no access there—commercial transactions were greatly hampered. The northern States long before the war coveted these rich countries; they wished to farm them, as it were, for the benefit of their industrial properties; they intended to profit by that wealth, both to increase their revenues and to increase their markets. Slavery has been the flag that covered this traffic.

We will resume, in passing, the financial situation of the United States—a debt of two millions and a half of dollars (12,500,000,000 fr.) regular taxes; an organization of the debt so as to pay it in thirty years; a permanent army of 84,000 men, of whom 32,000 form a reserve; a fleet greatly increased; important naval constructions; a part of their territory held as unsafe—a part of the population deprived of its franchises and public charges—this is the general aspect. In what, let us ask, is this situation an enviable one? It is not like our old communities; still less is it free America. Debts, taxes, army privilege, internal dissensions: in spite of the cheerful tone of the President, there is more than one cloud upon the starry heaven that forms the banner of the Union.

The President has brought the same tone of moderation to the treatment of the foreign question.

This question has two objectives—England and France—*i. e.*, the recognition of the belligerents and the Mexican expedition. On this last point the President says little—so little that it is disquieting. The generalities which he expresses are, in our opinion, an evident proof that there is something going on at Washington or Paris relative to the Mexican question. One does not speak so

briefly of an expedition which operates at your very door, contrary to your proclaimed principles, unless there is something under the cards which it is desirable to hide.

The President is more explicit in regard to England, without being more threatening. He affects a still calmer tone, if possible, and contents himself with a sort of statement of facts. These facts, it is true, constitute, according to the interpretation of Mr. Johnson, a violation of neutrality. England, it is also true, has refused to bring them before an international commission. The President regrets this, but he does not hence conclude that good relations should cease between the two powers. For the rest, has Mr. Johnson a good right to demand to-day the assembling of an international commission to consider questions of the law of nations, when the United States have always hitherto claimed to hold themselves aloof from what Europe was doing in that sense? If our memory is exact, such was their attitude at the time of the Congress of Paris, when the rights of neutrals were regulated.

The resumé of the exposition of the foreign attitude of the United States seems to us to be this.

The hour of action has not arrived.

H. VRIGNAULT.

No. 2.

Mr. Bigelow to Mr. Seward.

No. 235.] LEGATION OF THE UNITED STATES,
Paris, January 5, 1866.

SIR: I have received your instruction, No. 331, in relation to the levying of troops in Egypt to re-enforce the French army in Mexico. I invited the attention of Mr. Drouyn de Lhuys, yesterday, to the reports circulating in American papers in regard to the landing of large numbers of troops at Vera Cruz, and asked if the policy of the government had undergone any change, since my last conversation upon that subject, in connexion with the levy of Egyptians. He replied, that it had not, so far as he was aware; that he believed the French force in Mexico had been undergoing a reduction, rather than an increase; but, to make himself entirely sure upon the point, he would again make inquiries at the war office, and let me know their result as soon as possible. In reply to another question of mine, he said that the government had no intention to take Egyptian troops to Mexico, but that it adhered entirely to the policy heretofore announced to me on that subject. On receiving this assurance, I did not think it my duty to read to him the instruction to our consul general at Alexandria, which accompanied your despatch.

I am, sir, with great respect, your very obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State.

No. 3.

Mr. Bigelow to Mr. Seward.

No. 240.] LEGATION OF THE UNITED STATES,
Paris, January 11, 1866.

SIR: I enclose a memorandum, received last evening from Mr. Drouyn de Lhuys, in pursuance of a promise which I have already reported to you. I

called upon his excellency this afternoon for the purpose of getting clearer ideas upon some of its points, that no time should be lost by the two governments in securing an available basis of negotiation.

I read over to him the memorandum aloud, and as I proceeded, remarked that I presumed my government would not deny to France the sovereign right of making war, which, of course, belonged to all governments; that France would be singularly fortunate if the end for which she went to Mexico should be fully realized, for it always took two parties to make a war, and one must be in the wrong; and history had preserved the record of few wars in which either belligerent attained fully the end for which it took up arms. I asked him if he could give me an idea of the "guarantees" which he hoped to obtain from Mexico. He said they did not, of course, expect to get the money owing them, but they hoped for something which they might regard as an equivalent. That, however, was a matter of negotiation between them and Mexico. But he could not very well talk with me about those guarantees now, for they must depend upon the result of pending negotiations in Mexico, and were liable to be different from anything they might now be able to suggest. I then asked what form his excellency proposed that the "assurance" he asked from the cabinet at Washington should take. He replied that he had as yet given no thought to that subject.

I remarked that it seemed to me desirable, for obvious reasons, that our governments should appear to act as independently of each other as possible in this matter; that France could hardly enter with dignity into a formal covenant with us to make her retirement from Mexico depend upon our forbearance; neither could we covenant not to intervene without implying a disposition on our part to intervene but for such a covenant. I expressed a doubt, therefore, whether a formal covenant was consistent with the dignity of either nation, but I suggested that it would doubtless be perfectly agreeable to the Secretary of State at Washington to restate in a despatch to me the policy of non-intervention in the internal affairs of other independent states which we have hitherto pursued, and to which it is our purpose to adhere, in terms that would be perfectly satisfactory to the Emperor. A copy of such an opinion in his hands, I said, would possess all of the advantages and none of the disadvantages of a formal treaty.

I also expressed my belief that you would have no objection to make such a communication if it promised to favor an early and friendly solution of the questions pending between us.

Mr. Drouyn de Lhuys thought well of this suggestion; said he saw no need of a treaty; he preferred the separate and independent action of the governments, and he would be prepared, he said, in conformity with that policy, to show me when I could give him the assurance spoken of—the results of negotiations with Maximilian which were already going on quite independently of that assurance. I was glad to hear from his mouth this fact, glanced at in his memorandum, for it satisfied me that notice has already gone forward to Maximilian, probably by Mr. Hidalgo, that he must prepare to dispense with the French flag *avant peu*.

I then asked whether it would not be possible in some way to arrest the useless and demoralizing warfare that was carried on in Mexico between Maximilian and the Juarists, at least while these negotiations were going on—that is, while the French occupation should last. He said he wished there was; that the atrocities practiced there were really too dreadful to speak of, but he did not know that he could do anything to discourage them, and asked if I had anything to suggest. I said, I supposed that if the Juarists were sure that the French were intending to leave Mexico within a time which seemed reasonable to them, and that they would then have a fair chance of trying conclusions with Maximilian's party, they would be willing to leave him undisturbed if undisturbed by him; and that if France or Maximilian had any indirect means of coming to such an

understanding with Juarez, it might render the situation less embarrassing to all parties.

His excellency replied that he would be very glad if that were practicable, as it would enable them to leave the country so much the sooner; but they had no means of communicating with Juarez, and he asked me if I could suggest any mode of accomplishing what I proposed. I replied that we had relations, as he was aware, with Señor Romero, and anything that he would authorize me to say we should be most happy to say, of course, that would have a tendency to terminate this brutalizing strife.

His excellency promised to speak of this, and also of the form of the "assurance" which we had been dicussing, to the Emperor.

I then asked his excellency if he had heard of Santa Anna's projects, of which I wrote you in my private note of the 8th instant. He seemed to be fully informed upon the subject.

My object in this conversation with Mr. Drouyn de Lhuys, as I have already stated, was to lose no time in getting our two governments to a point where they can begin to act in concert. How far I have succeeded I can better judge when I shall receive your reply to this account of it.

I remain, sir, with great respect, your very obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD, *&c.*

No. 3 A.

[Translation.—Memorandum.]

The Washington cabinet recognizes the right which we have, like any sovereign nation, to make war on Mexico. On our side we desire to observe the principle of non-intervention. Does not the approximating of these two points offer the basis of a common understanding?

To make war is not only to overthrow fortifications, and kill a certain number of men; it is especially to assure a right infringed upon, the vindication of which has rendered necessary the employment of arms. Until this end is fully attained, the means of execution incident to war remain legitimate. In Mexico we hope to obtain before long the guarantees which we have sought, and which are to complete our final arrangements with the emperor Maximilian. At that moment the mission of our troops will be accomplished, and they can return to France. I write in this sense to Mexico, by order of the Emperor.

This will then be a case for the application of the princple of non-intervention. We will conform our conduct to it, and we are confident that the people of the United States who invoke this principle will respect it themselves, by observing towards Mexico a scrupulous neutrality. When we shall have received from the cabinet of Washington this assurance, we will be able to make known to them, in our turn, the result of our final negotiations with the empire of Mexico.

No. 4.

Mr. Hunter to Mr. Bigelow.

No. 369.] DEPARTMENT OF STATE,
Washington, January 15, 1866.

SIR: Your despatch of the 29th ultimo, No. 233, relating the substance of conversation reported to have taken place between Messrs. Forcade and Germigny

upon the subject of the purposes of the Emperor in regard to the provision to be made for the payment of the Mexican bonds, should he conclude to withdraw his army from Mexico, has been received, and I have, in reply, to thank you for the information.

I am, sir, your obedient servant,

W. HUNTER, *Acting Secretary*

JOHN BIGELOW, Esq., &c.

No. 5.

Mr. Hunter to Mr. Bigelow.

No. 371.] DEPARTMENT OF STATE,
Washington, January 15, 1866.

SIR: Your despatch of the 21st ultimo, No. 228, and its accompaniments which are a number of extracts from the journals of Paris on the subject of President Johnson's message to Congress, have been received.

I am, sir, your obedient servant,

W. HUNTER, *Acting Secretary*

JOHN BIGELOW, Esq., &c.

No. 6.

Mr. Bigelow to Mr. Seward.

[Extract.—With enclosure.]

No. 248.] LEGATION OF THE UNITED STATES,
Paris, January 25, 1866.

SIR: The legislative chambers were opened by the Emperor on the 22d instant, with the usual ceremonies. The Prince Imperial, for the first time, asserted his hierarchical rank, by taking the seat on the right of the throne, the Prince Napoleon placing himself on the left.

A copy of the imperial speech is enclosed. The relations of France with the United States proved on this occasion a more fertile topic to his Majesty than on corresponding occasions heretofore. His language betrays his high appreciation of the value of our friendship, and a purpose henceforth to cultivate it assiduously. He says all that he could be expected to say about Mexico in the present state of his information. Resistance to the spread of the Anglo-Saxon race appears to have lost a portion of its importance in his eyes, and the world is distinctly notified that Maximilian must expect soon to rely upon his own resources if he remains in Mexico. The Emperor wisely left the time for withdrawing his army from that republic undefined. He is, therefore, at liberty to retire as soon as he pleases. Probably no part of the discourse gave such general satisfaction as that which held out hopes of an early release of France from her Mexican entanglement. The press of the metropolis reflects this feeling with singular unanimity. I enclose a few of the journals which are not habitually received at the State Department, containing articles of more or less significance upon this subject. In conclusion, let me say that the language of the Emperor, and the reception it has met with from his people, have left no doubt upon my mind of his intention to wash his hands of Mexico as soon as he possibly can. * * * * * * *

I remain, sir, with great respect, your very obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD, &c.

No. 7.

The Marquis de Montholon to Mr. Seward.

[Translation.]

LEGATION OF FRANCE TO THE UNITED STATES,
Washington, January 29, 1866.

SIR: I have the happiness to hear of the return of your excellency to Washington at the very moment when I am in receipt of the note which Mr. Drouyn de Lhuys addresses to me, in answer to yours of the 6th December last, after having taken the order of the Emperor in respect thereof. I hasten, Mr. Secretary of State, to place in the hands of your excellency the answer of Mr. Drouyn de Lhuys, praying you to be so good as to lay it before his excellency the President, Mr. Johnson.

Accept, Mr. Secretary of State, the assurances of my high consideration.

MONTHOLON.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c.

No. 7 A.

Mr. Drouyn de Lhuys to the Marquis de Montholon.

[Translation.]

No. 2.] DEPARTMENT OF FOREIGN AFFAIRS, DIPLOMATIC BRANCH,
Paris, January 9, 1866.

MR. THE MARQUIS DE MONTHOLON: I have already charged you, by order of the Emperor, to make known to the cabinet of Washington the views of his Majesty's government on the affairs of Mexico, and you have, conformably with my instructions, made known to Mr. Seward the despatch I had the honor to write to you under date of 18th October. The Secretary of State has answered that despatch by a communication which he was pleased to address to you on the 6th December, and from which I believe it to be my duty here to reproduce the leading points.

According to Mr. Seward, the presence of a foreign force in a country neighboring to the Union could not but be a source of uneasiness and disquiet. This state of things draws along with it on the federal government embarrassing outlays, and may lead to collisions. At all events, the principal cause of the dissatisfaction of the United States is not that there is in Mexico a foreign army; much less that such army is French. The cabinet of Washington recognizes in every sovereign nation the right to make war, provided the use of this right does not menace the security and legitimate influence of the Union. But the French army has gone to Mexico to overthrow a national republican government, and with the avowed aim of founding on its ruins a foreign monarchical government. Mr. Seward states, on this subject, how much the people of the United States are attached to the institutions they have given themselves, and, repelling any idea of propagandism in favor of these institutions, he claims for the various nations of the New World the right to secure to themselves this form of government at their convenience. He would consider as inadmissible that European powers should interfere in these countries with the idea of destroying the republican form in order to substitute kingdoms and empires. "Having thus frankly defined our position," adds Mr. Seward, "I submit the question to the judgment of France, sincerely hoping that great nation will find it com-

patible with its true interests, as well as with its so highly exalted honor, to abandon the aggressive attitude it has taken in Mexico."

Mr. Seward recalls in closing, as a reason for his hope of arriving at a happy solution, the ancient affection of the United States for France, and the value which every American citizen constantly attached in past time, and attaches in the future, to our friendship.

I have not failed to place this communication before the Emperor. After having maturely examined the considerations set forth by Mr. Seward, the government of his Majesty remains convinced that the divergence of views between the two cabinets is, above all, the result of an erroneous appreciation of our intentions.

Our expedition—need I say it?—had in it nothing hostile to the institutions of the nations of the New World, and assuredly still less to those of the Union. France could not forget that she has contributed with her blood to found them; and of the number of glorious memories which the ancient monarchy has bequeathed to us, there is not one of which Napoleon I showed himself more proud, and which Napoleon III can be less inclined to repudiate. If, moreover, we could have been influenced by a malevolent thought towards this republic, would we have sought in the beginning to obtain the concurrence of the federal government, which had, as well as ourselves, reclamations to make available? Would we have observed neutrality in the great crises which the United States have passed through? And to-day would we be disposed, as we declare with the greatest frankness, to hasten, as much as it will be possible for us, the moment for the recall of our troops? Our only aim has been to follow up the satisfactions to which we had right, on recurring to coercive measures, after having exhausted all others. It is known how numerous and legitimate the claims of French subjects were. It was in presence of a series of flagrantly vexatious measures, and of glaring denials of justice, that we took up arms.

The wrongs to the United States were certainly less numerous and less important when they were led, they also, some years ago, to employ force against Mexico. The French army did not carry monarchical traditions in the folds of its flag.

The cabinet of Washington is not ignorant that there were in that country for many years a number of men of influence, who, despairing of obtaining order out of the conditions of the then existing rule, nourished the idea of falling back upon monarchy. Their thoughts were shared in by one of the last Presidents of that republic, who even offered to use his power to favor the re-establishment of royalty.

On witnessing the degree of anarchy into which the government of Juarez had fallen, they deemed the moment had arrived to make appeal to the opinion of the people, tired out as they were with the state of dissolution in which their resources were being exhausted.

We did not think it a duty to discourage this supreme effort of a powerful party, the origin of which dates long anterior to our expedition; but faithful to the maxims of public right, which we hold in common with the United States, we declared that question rested solely on the suffrages of the Mexican people.

The idea of the government of the Emperor has been defined by his Majesty in person in a letter addressed to the commander-in-chief of our army after the taking of Puebla. "Our object you know," (wrote the Emperor,) "is not to impose on the Mexicans a government against their will, nor to make our success aid the triumph of any party whatever. I desire that Mexico may revive to a new life, and that soon regenerated by a government founded on the national will, on principles of order and of progress, on respect for the law of nations, she may acknowledge by her friendly relations that she owes to France her repose and her prosperity."

The Mexican people have spoken—the emperor Maximilian has been called

by the will of the country. The government has appeared to us to be of a nature to restore peace to the interior and good faith to international relations. We have given it our support.

We went then to Mexico, there to exercise the right of war, which Mr. Seward fully recognizes in us, and not in virtue of any principle of intervention about which we profess the same doctrine as the United States. We went there not to bring about a monarchical proselytism, but to obtain reparation and guarantees which we ought to claim, and we sustain the government which is founded on the consent of the people because we expect from it the satisfaction of our wrongs, as well as the securities indispensable to the future. As we do not seek the satisfaction of an exclusive interest, nor the realization of an ambitious thought, our most sincere wish is to bring about, as soon as possible, the moment when we shall be able, with safety to our countrymen and with due respect for ourselves, to recall what remains in that country of the army corps which we have sent there.

As I have told you in the despatch to which the communication from Mr. Seward replies, it depends much on the federal government to facilitate in this respect the accomplishment of the desire which he expresses to us. The doctrine of the United States, resting as ours does on the principle of the national will, has in it nothing incompatible with the existence of monarchical institutions; and President Johnson in his message, as well as Mr. Seward in his despatch, repels all thought of propagandism, even on the American continent, in favor of republican institutions. The cabinet of Washington holds friendly relations with the court of Brazil, and did not refuse to form relations with the Mexican empire in 1822. No fundamental maxim—no precedent in the diplomatic history of the Union, therefore, creates any necessary antagonism between the United States and the form of government which has replaced in Mexico a power whose reign was nothing but a continual and systematic violation of its most positive obligations towards other nations.

Mr. Seward seems to make a double reproach to the government of the emperor Maximilian of the difficulties it encounters, and of the assistance it borrows from foreign forces, but the resistances which it has been obliged to wrestle with have in them nothing especial against the form of the institutions.

It undergoes the lot quite ordinary to new powers, and it is, above all, its misfortune to have to bear the consequences of disorders produced under previous governments, which lot is in effect that of those governments which have not found armed competitors and have enjoyed in peace and uncontested authority.

Revolts and intestine wars were, therefore, the normal condition of the country, and the opposition made by some military chiefs to the establishment of the empire is only the natural sequence of such habitudes of want of discipline and of anarchy of which the powers to whom this succeeds have been victims.

As for the support which the Mexican government receives from our army, and what is also lent to him by Belgian and Austrian volunteers, it causes no hindrance to the freedom of its resolutions nor the perfect independence of its actions. What state is there that needs not allies, whether to form it or to defend it? And the great powers, such as France and England for example, have they not constantly almost maintained foreign troops in their armies? When the United States fought for their emancipation, did the aid given by France to their efforts cause that great popular movement to cease to be truly national! And shall it be said that the contest with the south was not in like manner a national war, because the thousands of Irishmen and Germans were fighting under the flag of the Union? The character of the Mexican government, therefore, cannot be contested, nor the resistance which it must overcome to consolidate itself, or the foreign troops which shall have aided in bringing forth again safety and order in a country so long and deeply distracted, be considered as a reason for disaffection toward it. Such an undertaking is surely worthy to be

appreciated by a nation so enlightened as the United States, especially called on to gather the advantage.

In place of a country unceasingly in trouble, and which has given them so many subjects for complaint, and against which they have themselves been obliged to make war, they will find a pacific country, offering henceforth pledges of security and vast openings to their commerce. Far from injuring their rights or hurting their influence, they, above all, are those who must profit by the work of reorganization which is being accomplished in Mexico.

In recapitulation, marquis, the United States acknowledges the right we had to make war on Mexico. On the other part we admit, as they do, the principle of non-intervention; this double postulate includes, as it seems to me, the elements of an agreement. The right to make war, which belongs, as Mr. Seward declares, to every sovereign nation, implies the right to secure the results of war. We have not gone across the ocean merely for the purpose of showing our power, and of inflicting chastisement on the Mexican government; after a train of fruitless remonstrances it was our duty to demand guarantees against the recurrence of violence from which our countrymen had suffered so cruelly, and these guarantees we could not look for from a government whose bad faith we had proven on so many occasions.

We find them now engaged in the establishment of a regular government, which shows itself disposed honestly to keep its engagements. In this relation we hope that the legitimate object of our exhibition will soon be reached, and we are striving to make with the emperor Maximilian arrangements which, by satisfying our interests and our honor, will permit us to consider as at an end the service of our army on Mexican soil.

The Emperor has given me orders to write in this sense to his minister in Mexico.

We fall back from that moment on the principle of non-intervention, and from that moment accept it as the rule of our conduct; our interest, no less than our honor, commands us to claim from all the uniform application of it. Trusting in the spirit of equity which animates the cabinet at Washington, we expect from it the assurance that the American people will themselves conform to the law which it invokes, by observing, in regard to Mexico, a strict neutrality. When you shall have informed me of the resolution of the federal government on this subject, I shall be able to indicate to you the results of our negotiations with the emperor Maximilian for the return of our troops.

I request you to remit a copy of this despatch to Mr. Seward in answer to his communication of the 6th of December last, begging him to have the goodness to lay it before President Johnson; and I rely with confidence for the examination of the considerations it embraces in the traditional sentiments recalled to notice in the note of the Secretary of State of the Union.

Accept, marquis, the assurances of my high consideration.

DROUYN DE LHUYS

Monsieur le MARQUIS DE MONTHOLON,
Minister of France, near Washington.

No. 8.

Mr. Seward to Mr. Bigelow.

No. 378.] DEPARTMENT OF STATE,
Washington, January 29, 1866.

SIR: I have to acknowledge the receipt of your despatch of the 5th instant, No. 235, relating to a recent interview between yourself and Mr. Drouyn

de Lhuys upon the subject of levying of troops in Egypt to re-enforce the French yarm in Mexico. The views expressed by you on that occasion are approved.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., &c.

No. 9.

Mr. Bigelow to Mr. Seward.

[Extract.]

No. 253.] LEGATION OF THE UNITED STATES,
Paris, January 30, 1866.

SIR: I have still nothing later from the State Department than the 5th of January. France is a prey to the wildest rumors, and to a sort of solicitude which has been compared in my presence by French people to that which prevailed in 1789. This is partly owing to the ignorance of what has occurred between the two governments since the apparently critical moment at which the correspondence sent by the President to Congress closed. In spite of the pacific and friendly tone of the Emperor's discourse, the public persist in believing that the actual situation is represented by that correspondence. To relieve this anxiety a little, the official press has announced the departure of M. Saillard to Mexico and Mr. Faverney to Washington with communications designed to prepare the way for the retirement of the French army from Mexico, and to satisfy President Johnson of the Emperor's loyal intentions towards the United States. You will find in the Paris correspondence of the London Times a curious account of Saillard's unsucessful efforts to procure some letters of credence, first, from the Emperor, then the minister of foreign affairs, and finally from Walewski. Though his name is not given, he is a third party referred to. * *

To enable you to see how completely these relations of France with the United States have swallowed up all other questions, I send you a number of journals of a more or less representative character. You will be struck no doubt, as I have been, by the fact that the propriety of our requiring the Emperor to withdraw his army from Mexico is not questioned by any of them; nor do I remember to have heard it questioned by any one with whom I have conversed. It is universally conceded that the moment the indemnity, for which the Emperor professes to have gone to Mexico, ceased to be attainable by arms, it was his duty to leave, in order not to have other motives, which could not be justified, assigned to his expedition.

I am, sir, with great respect, your very obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD, &c.

No. 10.

Mr. Bigelow to Mr. Seward.

[Extract.]

No. 255.] LEGATION OF THE UNITED STATES,
Paris, February 1, 1866.

SIR: In the diplomatic circle last evening at the palace the Emperor asked me how my country people would like his speech at the opening of the corps

legislatif. I replied that I had no doubt it would be read with general satisfaction. He then said he hoped we would soon have good news from the United States. I said I thought we might expect good news as soon as possible after your return to Washington. His Majesty asked if it was true, as the papers stated, that you would touch at Vera Cruz during your absence. I replied that I had not received a single line from Washington in reference to your trip, but that I had no reason to think it even probable that your voyage had any other purpose than recreation, which you could hardly obtain within reach of the telegraph, and that you probably thought the moment chosen the most propitious that was likely soon to offer for a brief absence.

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I am, sir, with great respect, your obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD, *Secretary of State.*

No. 11.

Mr. Bigelow to Mr. Seward.

No. 257.] LEGATION OF THE UNITED STATES,
Paris, February 1, 1866.

SIR: I have the honor to transmit herewith a copy of the documents diplomatiques communicated to the corps legislatif on Monday, the 29th instant. You will learn from a note on the first page that it was originally intended, and so Mr. Drouyn de Lhuys stated to me this day week, to defer the publication of the correspondence relating to Mexico until the pending negotiations upon that subject should reach maturity. A subsequent note at page 174 states that, in consequence of the communication to Congress of correspondence upon this subject by the President of the United States, it was thought best to withhold it no longer from the corps legislatif. The despatch on page 216 is in reply to your note addressed to the Marquis de Montholon, bearing date the 6th of December last, and gives an official version of the proposal which I had the honor to transmit to you in my despatch No. 240, of the 11th ultimo. I also invite your attention to the communication on page 223, addressed by Mr. Drouyn de Lhuys to the Marquis de Montholon, in reference to a note addressed by me to the former on the 16th ultimo. It is true that Mr. Drouyn de Lhuys did say, in conversation with me, laughingly, that he could have replied to me, if disposed, that France had not "planted" any political organization in Mexico, and that he did not believe Maximilian's decrees in reference to emigration contemplated any such purposes or results as I attributed to them, but he left me to understand that he did not think it worth while to write about it. I concluded that if he did not think it of consequence enough to answer in writing, he did not care to have a record made of his remarks. This will explain why you first hear of this conversation through a letter to the Marquis de Montholon.

I also send by the bag to-night a bundle of journals showing the impression left upon the public mind here by the appearance of this correspondence, and of that submitted to Congress by the President. It is easy to perceive that these publications have not been grateful to the government.

I am, sir, with great respect, your very obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State.

No. 12.

Mr. Seward to Mr. Bigelow.

No. 382.] DEPARTMENT OF STATE,
Washington, February 6, 1866.

SIR: I have received and submitted to the President your despatches of the 4th of January, No. 234, and of the 5th of January, No. 236, also your confidential despatch of January 11, No. 240. These papers contain much valuable information and some useful suggestions concerning the mode of adjusting the difficulties of French intervention in Mexico. You will accept the thanks of the government. The Emperor seems to have matured his project on the 9th day of January. The Marquis de Montholon submitted to me an elaborate communication from Mr. Drouyn de Lhuys, which is supposed to have been prepared in execution of that project. My reply to Mr. Drouyn de Lhuys is now under consideration here. A copy of it will be sent to you for your information, at the same time that the paper itself is delivered to the Marquis de Montholon. The French government having transferred the discussion to this capital, you will be relieved of further direct action in the premises; but your advice and co-operation will be constantly desired, and when received will be highly valued.

I am, sir, your obedient servant,

WILLIAM H. SEWARD

JOHN BIGELOW, Esq., *&c.*

No. 13.

Mr. Bigelow to Mr. Seward.

[Extract.]

No. 264.] LEGATION OF THE UNITED STATES,
Paris, February 8, 1866.

SIR: You will find in the Moniteur of the 7th instant the address reported by the senate commission in reply to the imperial discourse at the opening of the corps legislatif.

The passages of chief interest to the people of the United States are the following:

"You are, sire, the natural guardian of the interests of the army. It is not your Majesty who, after having led it to victory, would forget its glorious services on the return of peace. Besides, it is not always the safeguard of French honor and the boulevard of order and law. It is the army which now gives on the distant territory of Mexico an example of discipline, constancy, and of all military virtues, which it drops like a fruitful seed on its march.

"Your Majesty has announced that this memorable expedition to Mexico touches its term, and that you are coming to an understanding with the emperor Maximilian for the recall of your troops. That is the same as to say to satisfied France that the protection of her commercial interests will be assured in this vast and rich market made safe by our aid.

"As to the United States, if through any misunderstanding the presence of the French flag on the American continent appears to them less seasonable than it did at another very illustrious epoch in their history, the firm communications of your government have shown that it will not be imperious and menacing language that will determine us to return. France has not the habit of marching

except to her own time. [Very well; very well.] But she loves to remember her ancient friendship for the United States. What you demand of them is neutrality and the rights of nations. By this they may see that a war for the so often declared purpose of protecting our country people against a faithless government does not become, because successful, a war of conquest, of domination, or of propagandism."

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I am, sir, your very obedient and very humble servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State.

No. 14.

Mr. Bigelow to Mr. Seward.

No. 268.] LEGATION OF THE UNITED STATES,
Paris, February 9, 1866.

SIR: You will find at page 206 of the Documens Diplomatiques, transmitted with my despatch No. 257, a note addressed by Mr. Drouyn de Lhuys to the Marquis de Montholon, which is calculated to leave an incorrect impression of what passed at the interview to which it refers. For the purpose of rectifying that impression I addressed to Mr. Drouyn de Lhuys, on the 7th instant, a letter, which, with his reply, dated the 8th instant, I have the honor to enclose. It is at present my intention to request him to publish both letters in the Constitutionel and La France, where the despatch in question has been reproduced.

I am, sir, with great respect, your obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State.

No. 14 A.

Mr. Bigelow to Mr. Drouyn de Lhuys.

LEGATION OF THE UNITED STATES,
Paris, February 7, 1866.

SIR: I find at page 206 of the *Documens Diplomatiques*, for copies of which I have to thank your excellency, a letter to the Marquis de Montholon, bearing date October 18, 1865, in which your excellency says: "En vous écrivant," &c.

[Translation of extract.]

"In writing you this despatch I have entered into a path opened by Mr. Bigelow himself several days ago. In a conversation in relation to other matters, this minister asked me, in his own name, and without prejudging the opinion of his government, if I did not think that the recognition of the Mexican empire by the United States might facilitate and hasten the recall of our troops. The instructions which I send you are in answer to this question."

As neither the language which I remember to have used, nor the impression which I intended to convey in that conversation, correspond entirely with the version which your excellency has given of it in the foregoing citation, I de-

sire to recall to your excellency the circumstances under which it occurred, for the purpose of showing that the confidence which I have in my own recollection, and in my memoranda made at the time, is not misplaced.

Your excellency, in reply to my inquiries, had been expressing your measure of faith in the ultimate consolidation of the power founded under the auspices of France in Mexico. And upon that faith rested your hopes of soon recalling your troops. You recapitulated some of the difficulties against which it would require a little time to provide; but all of which you seemed to think would diminish in magnitude, if the adversaries of the new order received no encouragement from the United States. It was in view of such representations that I asked whether, in your excellency's opinion, Maximilian would be able to sustain himself without the aid of France if his authority were recognized by the United States. That inquiry led to a conversation, in which I had occasion, at least twice, to state to your excellency that our recognition of any government in Mexico so long as it was sustained by foreign arms was impossible; that the logic of the situation required the independence of Mexico to be established by the withdrawal of all foreign soldiers before our government could formally recognize a government accused of owing its existence to their presence.

I am sorry to trouble your excellency with a rectification of a misapprehension which may seem trifling, but which also may acquire importance from the circumstances under which it has been submitted to the public.

I avail myself of this occasion to renew, &c., &c.

JOHN BIGELOW.

His Excellency Monsieur DROUYN DE LHUYS,
Minister of Foreign Affairs.

No. 14 B.

Mr. Drouyn de Lhuys to Mr. Bigelow.

PARIS, *February* 8, 1866.

SIR: I have received the letter which you have done me the honor to write me, dated the 7th February, on the occasion of a despatch recently published, in which I made allusion to a conversation which we had together upon the subject of Mexican affairs. Recalling that conversation, you have thought proper to define its terms. The report of it which you give is in consonance with my own recollection, and as I construe it does not contain any fact in contradiction to the despatch to which you refer. It is exact that, in the opinion which you then expressed, the recognition of the emperor Maximilian by the federal government should be preceded by the evacuation of Mexico by the French troops; while, according to my view, this evacuation should not take place until after the recognition of the Washington cabinet, which, by contributing to the consolidation of the new state of things established in Mexico, would have precisely the effect of facilitating and hastening the recall of our troops. You objected that your government could not decide to recognize an authority sustained by the presence of a foreign army, but, you added, it might be possible, on the one hand, that the government of the Emperor, seeing the United States ready to enter into regular relations with Mexico if that country were evacuated by the French troops, might determine to press the return of his soldiers; on the other hand, that the United States, being informed of the intention of the government of the Emperor, might show more disposition to entertain the idea of recognition. In thus associating the conditions from which an agreement might result, it was to be hoped that our cabinets might find in them the elements of a solution equally satisfactory to both.

I cannot but render homage, sir, to the spirit of loyalty and conciliation which dictated this language to you. But the hypothesis which we examined together remained subject to the appreciation of your government, whose judgment you reserved. The cabinet of Washington occupying a different point of view, the suggestions upon which our conversation turned have been without result.

Accept, sir, the assurances of my high consideration,

DROUYN DE LHUYS.

JOHN BIGELOW, Esq., &c.

No. 15.

Mr. Seward to Mr. Bigelow.

No. 387.] DEPARTMENT OF STATE,
Washington, February 10, 1866.

SIR: I have received your despatch of the 25th ultimo, No. 248, enclosing a translation of the Emperor's address to both branches of the legislative assemblies of France on the opening of the present session, and giving an account of the ceremony, with your comments upon the speech. For this interesting and important communication I give you my thanks.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., &c.

No. 16.

Mr. Bigelow to Mr. Seward.

No. 270.] LEGATION OF THE UNITED STATES,
Paris, February 12, 1866.

SIR: The discussion of that portion of the senate address which related to the United States was disposed of on Saturday without debate. The paragraph relating to Mexico was voted after a brief speech from Marshal Forey, a report of which will be found in the Moniteur of the 11th instant. The part which the marshal took in planting the imperial flag in Mexico makes him its natural protector everywhere. He proved, however, rather more imperialist than the Emperor himself. He said that instead of diminishing the French force in Mexico it should rather be increased, in order to hasten the moment when the withdrawal of the French flag would be possible. When he had closed, the minister of state took occasion to say that the policy of the government, as given in the discourse from the throne, would not be modified by anything that had fallen from the marshal. There is either a difference of opinion among the intimate counsellors of his Majesty in regard to what is to be accomplished before the withdrawal of the French troops from Mexico, or there is a difference of opinion in regard to the means necessary for its accomplishment. Time will soon disclose which.

I am, sir, with great respect, your very obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c.

No. 17.

Mr. Seward to the Marquis de Montholon.

DEPARTMENT OF STATE,
Washington, February 12, 1866.

SIR: On the 6th of December I had the honor to submit to you in writing, for the information of the Emperor, a communication upon the subject of affairs in Mexico, as affected by the presence of French armed forces in that country. On the 29th of January thereafter you favored me with a reply to that communication, which reply had been transmiited to you by Mr. Drouyn de Lhuys, under the date of the 9th of the same month. I have submitted it to the President of the United States. It is now made my duty to revert to the interesting question which has thus been brought under discussion.

In the first place, I take notice of the points which are made by Mr. Drouyn de Lhuys.

He declares that the French expedition into Mexico had in it nothing hostile to the institutions of the New World, and still less of anything hostile to the United States. As proofs of this friendly statement, he refers to the aid in blood and treasure which France contributed in our revolutionary war to the cause of our national independence; to the preliminary proposition that France made to us that we should join her in her expedition to Mexico; and, finally, to the neutrality which France has practiced in the painful civil war through which we have just successfully passed. It gives me pleasure to acknowledge that the assurances thus given on the present occasion that the French expedition, in its original design, had no political objects or motives, harmonize entirely with expressions which abound in the earlier correspondence of the minister of foreign affairs, which arose out of the war between France and Mexico.

We accept with especial pleasure the reminiscences of our traditional friendship.

Mr. Drouyn de Lhuys next assures us that the French government is disposed to hasten, as much as possible, the recall of its troops from Mexico. We hail the announcement as being a virtual promise of relief to this government from the apprehensions and anxieties which were the burden of that communication of mine, which Mr. Drouyn de Lhuys has had under consideration.

Mr. Drouyn de Lhuys proceeds to declare that the only aim of France, in pursuing her enterprise in Mexico, has been to follow up the satisfaction to which she had a right after having resorted to coercive measures, when measures of every other form had been exhausted. Mr. Drouyn de Lhuys says that it is known how many and legitimate were the claims of French subjects which caused the resort to arms. He then reminds us how, on a former occasion, the United States had waged war on Mexico. On this point it seems equally necessary and proper to say that the war thus referred to was not made nor sought by the United States, but was accepted by them under provocations of a very grave character. The transaction is past, and the necessity and justice of the proceedings of the United States are questions which now rest only within the province of history. France, I think, will acknowledge that neither in the beginning of our Mexican war nor in its prosecution, nor in the terms on which we retired from that successful contest, did the United States assume any position inconsistent with the principles which are now maintained by us in regard to the French expedition in Mexico.

We are, as we have been, in relations of amity and friendship equally with France and with Mexico, and therefore we cannot, consistently with those relations, constitute ourselves a judge of the original merits of the war which is waged between them. We can speak concerning that war only so far as we are

affected by its bearing upon ourselves and upon republican and American institutions on this continent.

Mr. Drouyn de Lhuys declares that the French army, in entering Mexico, did not carry monarchical traditions in the folds of its flag. In this connexion he refers to the fact that there were at the time of the expedition a number of influential men in Mexico who despaired of obtaining order out of the conditions of the republican rule then existing there, and who, therefore, cherished the idea of falling back upon monarchy. In this connexion, we are further reminded that one of the later presidents of Mexico offered to use his power for the re-establishment of royalty. We are further informed that at the time of the French invasion the persons before referred to deemed the moment to have arrived for making an appeal to the people of Mexico in favor of monarchy. Mr. Drouyn de Lhuys remarks that the French government did not deem it a duty to discourage that supreme effort of a powerful party, which had its origin long anterior to the French expedition.

Mr. Drouyn de Lhuys observes that the Emperor, faithful to maxims of public right, which he holds in common with the United States, declared on that occasion that the question of change of institutions rested solely on the suffrages of the Mexican people. In support of this statement, Mr. Drouyn de Lhuys gives us a copy of a letter which the Emperor addressed to the commander-in-chief of the French expedition, on the capture of Puebla, which letter contained the following words: "Our object, you know, is not to impose on the Mexicans a government against their will, nor to make our success aid the triumph of any party whatsoever. I desire that Mexico may rise to a new life, and that, soon regenerated by a government founded on the national will, on principles of order and of progress, and of respect for the laws of nations, she may acknowledge by her friendly relations that she owes to France her repose and her prosperity."

Mr. Drouyn de Lhuys pursues his argument by saying that the Mexican people have spoken; that the emperor Maximilian has been called by the voice of the country; that his government has appeared to the Emperor of the French to be of a nature adequate to restore peace to the nation, and, on its part, peace to international relations, and that he has therefore given it his support. Mr. Drouyn de Lhuys thereupon presents the following as a true statement of the present case: France went to Mexico to exercise the right of war, which is exercised by the United States, and not in virtue of any purpose of intervention, concerning which she recognizes the same doctrine with the United States. France went there not to bring about a monarchical proselytism, but to obtain reparations and guarantees which she ought to claim; and, being there, she now sustains the government which is founded on the consent of the people, because she expects from that government the just satisfaction of her wrongs, as well as the securities indispensable to the future. As she does not seek the satisfaction of an exclusive interest, nor the realization of any ambitious schemes, so she now wishes to recall what remains in Mexico of the army corps which France has sent there at the moment when she will be able to do so with safety to French citizens and with due respect for herself.

I am aware how delicate the discussion is to which Mr. Drouyn de Lhuys thus invites me. France is entitled, by every consideration of respect and friendship, to interpret for herself the objects of the expedition, and of the whole of her proceedings in Mexico. Her explanation of those motives and objects is, therefore, accepted on our part with the consideration and confidence which we expect for explanations of our own when assigned to France or any other friendly power. Nevertheless, it is my duty to insist that, whatever were the intentions, purposes, and objects of France, the proceedings which were adopted by a class of Mexicans for subverting the republican government there, and for availing themselves of French intervention to establish on its ruins an imperial monarchy, are regarded by the United States as having been taken

without the authority, and prosecuted against the will and opinions, of the Mexican people For these reasons it seems to this government that, in supporting institutions thus established in derogation of the inalienable rights of the people of Mexico, the original purposes and objects of the French expedition, though they have not been, as a military demand of satisfaction, abandoned, nor lost out of view by the Emperor of the French, were, nevertheless, left to fall into a condition in which they seem to have become subordinate to a political revolution, which certainly would have not occurred if France had not forcibly intervened, and which, judging from the genius and character of the Mexican people, would not now be maintained by them if that armed intervention should cease. The United States have not seen any satisfactory evidence that the people of Mexico have spoken, and have called into being or accepted the so-called empire which it is insisted has been set up in their capital. The United States, as I have remarked on other occasions, are of opinion that such an acceptance could not have been freely procured or lawfully taken at any time in the presence of the French army of invasion. The withdrawal of the French forces is deemed necessary to allow such a proceeding to be taken by Mexico. Of course the Emperor of France is entitled to determine the aspect in which the Mexican situation ought to be regarded by him. Nevertheless, the view which I have thus presented is the one which this nation has accepted. It therefore recognizes, and must continue to recognize, in Mexico only the ancient republic, and it can in no case consent to involve itself, either directly or indirectly, in relation with or recognition of the institution of the Prince Maximilian in Mexico.

This position is held, I believe, without one dissenting voice by our countrymen. I do not presume to say that this opinion of the American people is accepted or will be adopted generally by other foreign powers, or by the public opinion of mankind. The Emperor is quite competent to form a judgment upon this important point for himself. I cannot, however, properly exclude the observation that, while this question affects by its bearings, incidentally, every republican state in the American hemisphere, every one of those states has adopted the judgment which, on the behalf of the United States, is herein expressed. Under these circumstances it has happened, either rightfully or wrongfully, that the presence of European armies in Mexico, maintaining a European prince with imperial attributes, without her consent and against her will, is deemed a source of apprehension and danger, not alone to the United States, but also to all the independent and sovereign republican states founded on the American continent and its adjacent islands. France is acquainted with the relations of the United States towards the other American states to which I have referred, and is aware of the sense that the American people entertain in regard to the obligations and duties due from them to those other states. We are thus brought back to the single question which formed the subject of my communication of the 6th of December last—namely, the desirableness of an adjustment of a question the continuance of which must be necessarily prejudicial to the harmony and friendship which have hitherto always existed between the United States and France.

This government does not undertake to say how the claims of indemnity and satisfaction, for which the war which France is waging in Mexico was originally instituted, shall now be adjusted, in discontinuing what, in its progress, has become a war of political intervention dangerous to the United States and to republican institutions in the American hemisphere. Recognizing France and the republic of Mexico as belligerents engaged in war, we leave all questions concerning those claims and indemnities to them. The United States rest content with submitting to France the exigencies of an embarrassing situation in Mexico, and expressing the hope that France may find some manner which shall at once be consistent with her interest and honor, and with the principles

and interest of the United States, to relieve that situation without injurious delay.

Mr. Drouyn de Lhuys repeats on this occasion what he has heretofore written, namely, that it depends much upon the federal government to facilitate their desire of the withdrawal of the French forces from Mexico. He argues that the position which the United States have assumed has nothing incompatible with the existence of monarchical institutions in Mexico. He draws to his support on this point the fact that the President of the United States, as well as the Secretary of State, in official papers, disclaim all thought of propagandism on the American continent in favor of republican institutions. Mr. Drouyn de Lhuys draws in, also, the fact that the United States hold friendly relations with the Emperor of Brazil, as they held similar relations with Iturbide, the Mexican Emperor, in 1822. From these positions Mr. Drouyn de Lhuys makes the deduction that neither any fundamental maxim, nor any precedent in the diplomatic history of this country, creates any necessary antagonism between the United States and the form of government over which the Prince Maximilian presides in the ancient capital of Mexico.

I do not think it would be profitable, and therefore I am not desirous to engage in the discussions which Mr. Drouyn de Lhuys has thus raised. It will be sufficient for my purpose, on the present occasion, to assert and to give reassurance of our desire to facilitate the withdrawal of the French troops from Mexico, and, for that purpose, to do whatsoever shall be compatible with the positions we have heretofore taken upon that subject, and with our just regard to the sovereign rights of the republic of Mexico. Further or otherwise than this France could not expect us to go. Having thus reassured France, it seems necessary to state anew the position of this government, as it was set forth in my letter of the 6th of December, as follows: Republican and domestic institutions on this continent are deemed most congenial with and most beneficial to the United States. Where the people of any country, like Brazil now, or Mexico in 1822, have voluntarily established and acquiesced in monarchical institutions of their own choice, free from all foreign control or intervention, the United States do not refuse to maintain relations with such governments, or seek through propagandism, by force or intrigue, to overthrow those institutions. On the contrary, where a nation has established institutions republican and domestic, similar to our own, the United States assert in their behalf that no foreign nation can rightfully intervene by force to subvert republican institutions and establish those of an antagonistical character.

Mr. Drouyn de Lhuys seems to think that I have made a double reproach against the Prince Maximilian's alleged government, of the difficulty it encounters, and of the assistance it borrows from foreign powers. In that respect Mr. Drouyn de Lhuys contends that the obstacles and the resistance which Maximilian has been obliged to wrestle with have in themselves nothing especial against the form of the institutions which he is supposed by Mr. Drouyn de Lhuys to have established. Mr. Drouyn de Lhuys maintains that Maximilian's government is undergoing the lot quite common to new powers, while, above all, it has the misfortune to have to bear the consequences of discords which have been produced under a previous government. Mr. Drouyn de Lhuys represents this misfortune and this lot to be in effect the misfortune and lot of governments which have not found armed competitors, and which have enjoyed in peace an uncontrolled authority. Mr. Drouyn de Lhuys alleges that revolts and intestine wars are the normal condition of Mexico, and he further insists that the opposition made by some military chiefs to the establishment of an empire under Maximilian is only the natural sequence of the same want of discipline, and the same prevalence of anarchy, of which his predecessors in power in Mexico have been victims. It is not the purpose, nor would it be consistent with the character of the United States, to deny that Mexico has been for a long

time the theatre of faction and intestine war. The United States confess this fact with regret, all the more sincere because the experience of Mexico has been not only painful for her own people, but has been also of unfortunate evil influence on other nations.

On the other hand, it is neither a right of the United States, nor consistent with their friendly disposition towards Mexico, to reproach the people of that country with her past calamities, much less to invoke or approve of the infliction of punishment upon them by strangers for their political errors. The Mexican population have, and their situation has, some peculiarities which are doubtless well understood by France. Early in the present century they were forced, by convictions which mankind cannot but respect, to cast off a foreign monarchical rule which they deemed incompatible with their welfare and aggrandizement. They were forced, at the same time, by convictions which the world must respect, to attempt the establishment of republican institutions, without the full experience and practical education and habits which would render those institutions all at once firm and satisfactory. Mexico was a theatre of conflict between European commercial, ecclesiastical, and political institutions and dogmas, and novel American institutions and ideas. She had African slavery, colonial restrictions, and ecclesiastical monopolies. In the chief one of these particulars she had a misfortune which was shared by the United States, while the latter were happily exempted from the other misfortunes. We cannot forget that Mexico, sooner and more readily than the United States, abolished slavery. We cannot deny that all the anarchy in Mexico, of which Mr. Drouyn de Lhuys complains, was necessarily, and even wisely, endured in the attempts to lay sure foundations of broad republican liberty.

I do not know whether France can rightfully be expected to concur in this view, which alleviates, in our mind, the errors, misfortunes, and calamities of Mexico. However this may be, we fall back upon the principle that no foreign state can rightly intervene in such trials as those of Mexico, and, on the ground of a desire to correct those errors, deprive the people there of their natural right of domestic and republican freedom. All the injuries and wrongs which Mexico can have committed against any other state have found a severe punishment in consequences which legitimately followed their commission. Nations are not authorized to correct each other's errors except so far as is necessary to prevent or redress injuries affecting themselves. If one state has a right to intervene in any other state, to establish discipline, constituting itself a judge of the occasion, then every state has the same right to intervene in the affairs of every other nation, being itself alone the arbiter, both in regard to the time and the occasion. The principle of intervention, thus practically carried out, would seem to render all sovereignty and independence, and even all international peace and amity, uncertain and fallacious.

Mr. Drouyn de Lhuys proceeds to remark, that as for the support which Maximilian receives from the French army, as well also as for the support which has been lent to him by Belgian and Austrian volunteers, those supports cause no hindrance to the freedom of his resolutions in the affairs of his government. Mr. Drouyn de Lhuys asks what state is there that does not need allies, either to form or to defend? As to the great powers, such as France and England, do they not constantly maintain foreign troops in their armies? When the United States fought for their independence, did the aid given by France cause that movement to cease to be truly national? Shall it be said that the contest between the United States and the recent insurgents was not in a like manner a national war, because thousands of Irishmen and Germans were found fighting under the flag of the Union? Arguing from anticipated answers to these questions, Mr. Drouyn de Lhuys reaches a conclusion that the character of Maximilian's government cannot be contested, nor can its efforts to consolidate itself be contested, on the ground of the employment of foreign troops.

Mr. Drouyn de Lhuys, in this argument, seems to us to have overlooked two important facts, namely: first, that the United States, in this correspondence, have assigned definite limits to the right of alliance incompatible with our assent to his argument; and secondly, the fact that the United States have not at any time accepted the supposed government of the Prince Maximilian as a constitutional or legitimate form of government in Mexico, capable or entitled to form alliances.

Mr. Drouyn de Lhuys then arranges, in a graphic manner, the advantages that have arisen, or are to arise, to the United States, from the successful establishment of the supposed empire in Mexico. Instead of a country unceasingly in trouble, and which has given us so many subjects of complaint, and against which we ourselves have been obliged to make war, he shows us in Mexico a pacific country, under a beneficent imperial sway, offering henceforth measures of security and vast openings to our commerce, a country far from injuring our rights and hurting our influences. And he assures us that, above all other nations, the United States are most likely to profit by the work which is being accomplished by Prince Maximilian in Mexico. These suggestions are as natural on the part of France as they are friendly to the United States. The United States are not insensible to the desirableness of political and commercial reform in the adjoining country; but their settled principles, habits and convictions forbid them to look for such changes in this hemisphere to foreign royal or imperial institutions, founded upon a forcible subversion of republican institutions. The United States, in their customary sobriety, regard no beneficial results which could come from such a change in Mexico as sufficient to overbalance the injury which they must directly suffer by the overthrow of the republican government in Mexico.

Mr. Drouyn de Lhuys, at the end of his very elaborate and able review, recapitulates his exposition in the following words: "The United States acknowledge the right we had to make war in Mexico. On the other part, we admit, as they do, the principle of non-intervention. This double postulate includes, as it seems to me, the elements of an agreement. The right to make war, which belongs, as Mr. Seward declares, to every sovereign nation, implies the right to secure the results of war. We have not gone across the ocean merely for the purpose of showing our power, and of inflicting chastisement on the Mexican government. After a train of fruitless remonstrances, it was our duty to demand guarantees against the recurrence of violence from which our country had suffered so cruelly, and those guarantees we could not look for from a government whose bad faith we had proved on so many occasions. We find them now engaged in the establishment of a regular government which shows itself disposed to honestly keep its engagements. In this relation we hope that the legitimate object of our expedition will soon be reached, and we are striving to make with the emperor Maximilian arrangements which, by satisfying our interests and our honor, will permit us to consider at an end the service of the army upon Mexican soil. The Emperor has given an order to write in this same sense to our minister at Mexico. We fall back at that moment on the principle of non-intervention, and from that moment accept it as the rule of our conduct. Our interest, no less than our honor, commands us to claim from all the uniform application of it. Trusting the spirit of equity which animates the cabinet of Washington, we expect from it the assurrance that the American people will themselves conform to the law which they invoke, by observing, in regard to Mexico, a strict neutrality. When you [meaning the Marquis de Montholon] shall have informed me of the resolution of the federal government, I shall be able to indicate to you the nature of the results of our negotiation with the emperor Maximilian for the return of our troops."

I have already, and not without much reluctance, made the comments upon the arguments of Mr. Drouyn de Lhuys which seem to be necessary to guard

against the inference of concurrence in questionable positions which might be drawn from our entire silence. I think that I can, therefore, afford to leave his recapitulation of those arguments without such an especial review as would necessarily be prolix, and perhaps hypercritical. The United States have not claimed, and they do not claim, to know what arrangements the Emperor may make for the adjustment of claims for indemnity and redress in Mexico. It would be, on our part, an act of intervention to take cognizance of them. We adhere to our position that the war in question has become a political war between France and the republic of Mexico, injurious and dangerous to the United States and to the republican cause, and we ask only that in that aspect and character it may be brought to an end. It would be illiberal on the part of the United States to suppose that, in desiring or pursuing preliminary arrangements, the Emperor contemplates the establishment in Mexico, before withdrawing his forces, of the very institutions which constitute the material ground of the exceptions taken against his intervention by the United States. It would be still more illiberal to suppose for a moment that he expects the United States to bind themselves indirectly to acquiesce in or support the obnoxious institutions.

On the contrary, we understand him as announcing to us his immediate purpose to bring to an end the service of his armies in Mexico, to withdraw them, and in good faith to fall back, without stipulation or condition on our part, upon the principle of non-intervention upon which he is henceforth agreed with the United States. We cannot understand his appeal to us for an assurance that we ourselves will abide by our own principles of non-intervention in any other sense than as the expression, in a friendly way, of his expectation that when the people of Mexico shall have been left absolutely free from the operation, effects, and consequences of his own political and military intervention, we will ourselves respect their self-established sovereignty and independence. In this view of the subject only can we consider his appeal pertinent to the case. Regarding it in only this aspect, we must meet the Emperor frankly. He knows the form and character of this government. The nation can be bound only by treaties which have the concurrence of the President and two-thirds of the Senate. A formal treaty would be objectionable as unnecessary, except as a disavowal of bad faith on our part, to disarm suspicion in regard to a matter concerning which we have given no cause for questioning our loyalty, or else such a treaty would be refused upon the ground that the application for it by the Emperor of France was unhappily a suggestion of some sinister or unfriendly reservation or purpose on his part in withdrawing from Mexico. Diplomatic assurances given by the President in behalf of the nation can at least be but the expressions of confident expectation on his part that the personal administration, ever changing in conformity and adaptation to the national will, does not misunderstand the settled principles and policy of the American people. Explanations cannot properly be made by the President in any case wherein it would be deemed, for any reason, objectionable on grounds of public policy by the treaty-making power of the government to introduce or entertain negotiations.

With these explanations I proceed to say that, in the opinion of the President, France need not for a moment delay her promised withdrawal of military forces from Mexico, and her putting the principle of non-intervention into full and complete practice in regard to Mexico, through any apprehension that the United States will prove unfaithful to the principles and policy in that respect which, on their behalf, it has been my duty to maintain in this now very lengthened correspondence. The practice of this government, from its beginning, is a guarantee to all nations of the respect of the American people for the free sovereignty of the people in every other state. We received the instruction from Washington. We applied it sternly in our early intercourse even with France. The same principle and practice have been uniformly inculcated by all our statesmen, interpreted by all our jurists, maintained by all our Congresses, and

acquiesced in without practical dissent on all occasions by the American people. It is in reality the chief element of foreign intercourse in our history. Looking simply towards the point to which our attention has been steadily confined, the relief of the Mexican embarrassments without disturbing our relations with France, we shall be gratified when the Emperor shall give to us, either through the channel of your esteemed correspondence or otherwise, definitive information of the time when French military operations may be expected to cease in Mexico.

Here I might perhaps properly conclude this note. Some obscurity, however, might be supposed to rest upon the character of the principle of non-intervention, which we are authorized to suppose is now agreed upon between the United States and France as a rule for their future government in regard to Mexico. I shall, therefore, reproduce, on this occasion, by way of illustration, some of the forms in which that principle has been maintained by us in our previous intercourse with France. In 1861, when alluding to the possibility that the Emperor might be invoked by rebel emissaries from the United States to intervene in our civil war, I observed: "The Emperor of France has given abundant proofs that he considers the people in every country the rightful source of authority, and that its only legitimate objects are their safety, freedom, and welfare."

I wrote, also, on the same occasion, these words to Mr. Dayton: "I have thus, under the President's direction, placed before you a simple, unexaggerated, and dispassionate statement of the origin, nature, and purposes of the contest in which the United States are now involved. I have done so only for the purpose of deducing from it the arguments you will find it necessary to employ in opposing the application of the so-called Confederate States to the government of his Majesty the Emperor for a recognition of their independence and sovereignty. The President neither expects nor desires any intervention, or even any favor, from the government of France, or any other, in this emergency. Whatever else he may consent to do, he will never invoke nor even admit foreign interference or influence in this or any other controversy in which the government of the United States may be engaged with any portion of the American people.

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"Foreign intervention would oblige us to treat those who should yield it as allies of the insurrectionary party, and to carry on the war against them as enemies.

"However other European powers may mistake, his Majesty is the last one of those sovereigns to misapprehend the nature of this controversy. He knows that the revolution of 1776, in this country, was a successful contest of the great American idea of free, popular government against resisting prejudices and errors. He knows that the conflict awakened the sympathies of mankind, and that ultimately the triumph of that idea has been hailed by all European nations. He knows at what cost European nations for a time resisted the progress of that idea, and, perhaps, is not unwilling to confess how much France, especially, has profited by it. He will not fail to recognize the presence of that one great idea in the present conflict, nor will he mistake the side on which it will be found. It is, in short, the very principle of universal suffrage, with its claim of obedience to its decrees, on which the government of France is built, that is put in issue by the insurrection here, and is in this emergency to be vindicated and more effectually than ever established by the government of the United States."

In writing upon the same subject to Mr. Dayton, on the 30th of May, 1861, I said: "Nothing is wanting to that success except that foreign nations shall leave us, as is our right, to manage our own affairs in our own way. They, as well as we, can only suffer by their intervention. No one, we are sure, can judge better than the Emperor of France how dangerous and deplorable would be the emergency that should intrude Europeans into the political contests of the American people."

In declining the offer of French mediation on the 8th of June, 1861, I wrote

to Mr. Dayton: "The present paramount duty of the government is to save the integrity of the American Union. Absolute, self-sustaining independence is the first and most indispensable element of national existence. This is a republican nation; all its domestic affairs must be conducted and even adjusted in constitutional forms, and upon constitutional, republican principles. This is an American nation, and its internal affairs must not only be conducted with reference to its peculiar continental position, but by and through American agencies alone."

On the 1st of August, 1862, Mr. Adams was instructed by this government in the following words: "Did the European states which found and occupied this continent almost without effort then understand its real destiny and purposes? Have they ever yet fully understood and accepted them? Has anything but disappointment upon disappointment and disaster upon disaster resulted from their misapprehensions? After near four hundred years of such disappointments and disasters, is the way of Providence in regard to America still so mysterious that it cannot be understood and confessed? Columbus, it was said, had given a new world to the kingdoms of Castile and Leon. What has become of the sovereignty of Spain in America? Richelieu occupied and fortified a large portion of the continent, extending from the Gulf of Mexico to the straits of Belle Isle. Does France yet retain that important appendage to the crown of her sovereign? Great Britain acquired a dominion here surpassing by a hundred-fold in length and breadth the native realm. Has not a large portion of it been already formally resigned? To whom have those vast dominions, with those founded by the Portuguese, the Dutch, and the Swedes, been resigned but to American nations, the growth of European colonists and exiles, who have come hither, bringing with them the arts, the civilization, and the virtues of Europe? Has not the change been beneficial to society on this continent? Has it not been more beneficial even to Europe itself than continued European domination, if it had been possible, could have been? The American nations which have grown up here are free and self-governing. They have made themselves so from inherent vigor and in obedience to absolute necessity. Is it possible for European states to plunge them again into a colonial state and hold them there? Would it be desirable for them and for Europe, if it were possible? The balance of power among the nations of Europe is maintained not without numerous strong armies and frequent conflicts, while the sphere of political ambition there is bounded by the ocean which surrounds that continent. Would it be possible to maintain it at all, if this vast continent, with all its populations, their resources, and their forces, should once again be brought within that sphere?

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"On the contrary of all these suppositions, is it not manifest that these American nations were called into existence to be the home of freemen; that the states of Europe have been intrusted by Providence with their tutelage, but that tutelage and all its responsibilities and powers are necessarily withdrawn to the relief and benefit of the parties and of mankind, when these parties become able to choose their own system of government, and to make and administer their own laws? If they err in this choice, or in the conduct of their affairs, it will be found wise to leave them, like all other states, the privilege and responsibility of detecting and correcting the error by which they are, of course, the principal sufferers."

On the 8th of May, 1862, Mr. Dayton was instructed to express to Mr. Thouvenel "the desire of the United States that peaceful relations may soon be restored between France and Mexico upon a basis just to both parties, and favorable to the independence and sovereignty of the people of Mexico, which is equally the interest of France and all other enlightened nations."

On the 21st of June, 1862, Mr. Dayton was authorized to speak on behalf

of the United States concerning the condition of Mexico in these words: "France has a right to make war against Mexico, and to determine for herself the cause. We have a right to insist that France shall not improve the war she makes to raise up in Mexico an anti-republican or anti-American government, or to maintain such a government there."

Accept, sir, a renewed assurance of my high consideration.

WILLIAM H. SEWARD.

The MARQUIS DE MONTHOLON, &c.

No. 18.

Mr. Seward to Mr. Bigelow.

No. 388.] DEPARTMENT OF STATE,
Washington, February 12, 1866.

SIR: I enclose for your information a copy of a note of this date,* which I have addressed to the Marquis de Montholon, in reply to Mr. Drouyn de Lhuys's communication of the 9th of January, upon the subject of the French intervention in Mexico.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., &c.

No. 19.

Mr. Seward to Mr. Bigelow.

No. 390.] DEPARTMENT OF STATE,
Washington, February 12, 1866.

SIR: Your despatch of January 16, No. 243, has been received. It was accompanied by a copy of a correspondence which took place between you and Mr. Drouyn de Lhuys, on the subject of certain decrees which have been made by the authorities now existing in the city of Mexico, concerning emigration and colonization in that country. We are not able to agree with the French government in the opinion which it has expressed, that the subject does not fall properly within the province of the Emperor of France. The President hopes, however, that the anticipated relief of the embarrassing situation in Mexico, which is the subject of another correspondence between the two powers, will facilitate a solution of the special matter which has arisen out of the before-mentioned decrees. You may make this expectation known to Mr. Drouyn de Lhuys.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., &c.

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* For enclosure see No. 17.

No. 20.

Mr. Bigelow to Mr. Seward.

[Extract.]

No. 272.] LEGATION OF THE UNITED STATES,
Paris, February 15, 1866.

SIR: I learn from an unofficial source that Gregorio Barandiran, the diplomatic representative of the Archduke Maximilian at Vienna, formerly secretary of legation under Señor Robles at Washington, is now at Paris, for money to fit out 10,000 Austrians, which, he says, are ready to embark from Trieste for Mexico. The Mexican commissioner informed him that there was no money in his hands. I am not sure of learning the result of the minister's suit here, as the money, if furnished, must come through indirect and concealed channels.

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I am, sir, with great respect, your obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c.

No. 21.

Mr. Seward to Mr. Bigelow.

No. 402.] DEPARTMENT OF STATE,
Washington, March 1, 1866.

SIR: Your very interesting despatch of the first of February last, No. 257, and its accompaniments, by which I am informed of the contents of the Documens Diplomatique, communicated to the corps legislatif on Monday, the 29th of January, by the French foreign office, and the popular impression in France concerning the Mexican question as affected by the publication of these papers, have been received. I thank you for the complete information you have placed at my disposal upon this important subject.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., *&c.*

No. 22.

Mr. Seward to Mr. Bigelow.

No. 404.] DEPARTMENT OF STATE,
Washington, March 2, 1866.

SIR: Your despatch of February 8, No. 264, has been received. It recites the passages which are of chief interest to the United States in the reply proposed by the senate commission in France to the discourse which the Emperor pronounced at the opening of the legislature. Your comments upon those passages are deemed just and proper; nevertheless, the passages themselves are not regarded as requiring especial remark from this department at the present time.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., *&c.*

No. 23.

Mr. Seward to Mr. Bigelow.

No. 405.] DEPARTMENT OF STATE,
Washington, March 2, 1866.

SIR: I have received your despatch of the 9th of February, No. 268, and I have placed it with pleasure upon the records of the department. It shows that you have compromised no part of the position of this government in your conversation with Mr. Drouyn de Lhuys, and I notice with satisfaction the friendly spirit with which he accepts your explanation. It is hardly necessary to say that the misapprehensions which you have now corrected excited no particular uneasiness here.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., *&c.*

No. 24.

Mr. Seward to Mr. Bigelow.

No. 408.] DEPARTMENT OF STATE,
Washington, March 5, 1866.

SIR: I have the honor to acknowledge the receipt of your despatch of the 15th of February, No. 276, and I approve of the manner in which you have executed my instruction No. 336. I feel, as Mr. Drouyn de Lhuys seems to feel, that it is a painful thing to contemplate even the possible occurrence of war between our country and France. Let us hope that the negotiations in which we are engaged will remove the ground for such apprehension. Should this hope fail, you may in your discretion revert to the matter of our special arrangement respecting postal steamers.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., *&c.*

No. 25.

Mr. Seward to Mr. Bigelow.

No. 411.] DEPARTMENT OF STATE,
Washington, March 5, 1866.

SIR: Your despatch of the 15th ultimo, No. 273, together with its accompaniments, a copy of your communication to Mr. Drouyn de Lhuys, and of his reply thereto, relative to the authenticity of the published letter of Marshal Bazaine to the republican general in Mexico, has been received.

Your inquiry seems to have been discreet, and it is approved.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., *&c.*

No. 26.

Mr. Bigelow to Mr. Seward.

No. 282.] LEGATION OF THE UNITED STATES,
Paris, March 6, 1866.

SIR: On the 2d of March, in the corps legislatif, the president, Count Walewski, after reading the paragraph of the address to the throne relative to Mexico, gave the floor to Mr. Rouher, minister of state, who asked, in behalf of the government, that the paragraph should be voted without discussion, alleging that, considering the present state of diplomatic negotiations already initiated with the emperor Maximilian, the discussion of Mexican questions was at this time inopportune. This proposition was adopted, but not without a spirited debate, in the course of which Mr. Rouher repeated, in language rather more emphatic than the government has formerly used, that the French troops were soon to be withdrawn from Mexico; and in addition, gave positive assurances that a future opportunity would be afforded for the thorough examination of the Mexican question in all its aspects.

The paragraph was then adopted, and the amendment of the minority rejected, the members of the opposition protesting that the opinion of the assembly was not to be prejudiced by this merely formal vote.

I transmit a copy of the paragraph adopted, the amendment of the opposition, and an extract from the remarks of Mr. Rouher.

I am, sir, with great respect, your obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

[Enclosure 1 to despatch 282.]

"Our expedition to Mexico approaches its close. The country has received this assurance with satisfaction. Led to Mexico by the imperious duty of protecting our countrymen against odious acts of violence, and to obtain the redress of legitimate grievances, our soldiers and our sailors have worthily fulfilled the task which your Majesty has confided to their devotion. This expedition has attested once more, in those distant lands, the disinterestedness and the power of France. The people of the United States, who have long known the loyalty of our policy and the traditional sympathies by which it is inspired, have no cause to take umbrage at the presence of our troops upon Mexican soil. To wish to subordinate their recall to any other conveniences than our own, would be to attack our rights and our honor. You have these in charge, sire, and the legislative body knows that you will watch over them with a solicitude worthy of France and of your name." (Paragraph of the address to the throne, adopted March 2, 1866.)

[Enclosure 2 to despatch 282.]

"We condemned the expedition to Mexico, at its outset, in calling attention to the embarrassments and sacrifices which it would impose upon France.

"Last year the return of our soldiers was solemnly announced; we regret that we should have encountered a delay not justified by French interests.

"The country has not forgotten the early declaration of the government in

regard to the causes of the expedition. It is astonished to see our army devoted to-day to the defence of a foreign throne."

(Amendment proposed by MM. Bethmeout, Garnier-Pages, Jules Favre, Pelletan, Duc de Marmin, Picard, Glais-Bizoin, Javal, and others; rejected March 2, 1866.)

[Enclosure 3 to despatch 282.]

[Extract from the remarks of Mr. Rouher, minister of state, in the legislative body, on the 2d of March.]

"But the speech from the throne expressed to you a thought—that of the early close of our expedition; it declared that the expedition approached its termination. That thought is the common thought of the government and the corps legislatif, and here I have not to distinguish between the majority and the opposition. It is the thought of the public opinion. This thought is expressed in the project of the address.

"Is there a certain shade of differences? Be it so. Let it be reserved.

"What objection should there be, then, gentlemen, that the commission and the corps legislatif should express their sentiments immediately upon this great theme of the early (*prochain*) return of our troops from the shores of the Atlantic and of Mexico, making all reserves in regard to the conduct of the expedition, its results, and its relations with the United States, for a later discussion?"

No. 27.

Mr. Seward to Mr. Bigelow.

No. 425.] DEPARTMENT OF STATE,
Washington, March 20, 1866.

SIR: I have to acknowledge the receipt of your despatch of the 15th ultimo, No. 272, in regard to the reports which have come to your ears, concerning the attempts of the agents in Europe of Maximilian's government in Mexico, to provide for the departure from Trieste of 10,000 Austrians for that country, and to enclose, for your information, a copy of a communication which I have addressed to Mr. Motley, the representative of this government at Vienna, upon the subject. I will thank you to apprise that gentleman of any further information that you may receive concerning this matter, in order that he may govern his proceedings accordingly.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., &c.

No. 28.

Mr. Bigelow to Mr. Seward.

[Confidential.—Extracts.]

LEGATION OF THE UNITED STATES,
Paris, March 22, 1866.

DEAR SIR: The Moniteur of the 21st instant announces that a military convention was signed at Vienna on the 15th between the Austrian government and

the representative of Maximilian—supplementary to a convention of the same nature which had been previously concluded between the same parties. The purpose of this engagement, says the Moniteur, is to insure the enrolments necessary to keep full the Austrian corps in Mexico.

In another journal, which I regret that at this moment I am unable to lay my hand upon, I have seen it stated that a line of steamers is to be started from Trieste to Vera Cruz, to ply regularly, from the 1st of April next. The Constitutionnel of the 21st contains also the following paragraph:

"We learn from the Freudenblatt, of Vienna, that the enlistments for Mexico will begin immediately; that the funds had been received from Paris two months since. In general," adds the Vienna journal, "our volunteers in Mexico seem to have made very fair savings, as Colonel Leiser has himself received more than 300,000 francs, to be sent to their friends in Austria. This proves that their wages are paid regularly, and that prices are not as high in Mexico as has been represented."

* * * * * * *

The Paris correspondent of the London Post stated a few days since that Hidalgo, who is expected here in a few days, would bring the convention, signed by Maximilian, providing for the withdrawal of the French troops from Mexico. The paragraph was generally copied, but finally received a qualified contradiction in two or three of the *officious* journals, which stated that what Hidalgo would bring could not be known till he came, and that when he left, Mr. Salliard had not had time to communicate with Maximilian, &c.

* * * * * * *

I presume the consul at Trieste and Mr. Motley will inform you of the objects had in view in the establishment of a line of steamers from Trieste to Vera Cruz They certainly can hardly be of a commercial character.

I am, sir, with great respect, your obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c.

No. 29.

Mr. Seward to Mr. Bigelow.

No. 426.] DEPARTMENT OF STATE,
Washington, March 23, 1866.

SIR: Your despatch of the 6th instant, No. 282, informing me of the remarks of Mr. Rouher in the "corps legislatif" upon the amendment proposed by a minority to the address to the throne, has been received, and I have, in reply, to inform you that I consider it interesting, as information of a part of the legislative proceedings of France in regard to French intervention in Mexico.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., &c.

No. 30.

Mr. Bigelow to Mr. Seward.

[Extract.]

No. 297.] LEGATION OF THE UNITED STATES,
Paris, April 6, 1866.

SIR: The Moniteur of yesterday morning announced that, as a sequence to communications exchanged between "M. Dana, minister of France, his ex-

cellency Marshal Bazaine, and the Mexican government, the Emperor has decided that the French troops shall evacuate Mexico in three detachments; the first to leave in November, 1866, the second in March, 1867, and the third in November, 1867."

At M. Drouyn de Lhuys's reception yesterday afternoon, I remarked that I supposed the paragraph in the Moniteur might be regarded as an official statement of the result of Baron Salliard's mission. He said it might, and then added that it was substantially what he had prefigured to me in our conversation last fall. He went on to say that the seasons for the debarking of the troops were selected from climatic and sanitary considerations.

* * * * * * *

I am, sir, with great respect, your very obedient servant,

JOHN BIGELOW.

No. 31.

The Marquis de Montholon to Mr. Seward.

[Translation.]

LEGATION OF FRANCE TO THE UNITED STATES,
Washington, April 21, 1866.

MR. SECRETARY OF STATE—SIR: I hasten to remit herewith to your excellency copy of a despatch which I at the moment receive from his excellency Mr. Drouyn de Lhuys, and which answers the despatch you were pleased to address to me, relative to Mexican affairs, on the 12th of February last.

Accept, Mr. Secretary of State, the assurances of my high consideration.

MONTHOLON.

Hon. WILLIAM H. SEWARD, *&c.*

No. 31 A.

Mr. Drouyn de Lhuys to the Marquis de Montholon.

[Translation.]

PARIS, *April* 5, 1866.

SIR: I have read, with all the attention which it deserves, the answer of the Secretary of State to my despatch of the 9th of January last. The scrupulous care with which Mr. Seward has pleased to analyze that despatch, and the extended considerations upon which he has entered to define, in regard to the exposé which I have made of the conduct of France in the affairs of Mexico, the doctrines which are the basis of the international policy of the United States, bear witness in our eyes of the interest which the cabinet of Washington attaches to putting aside all misapprehension.

We find therein the evidence of its desire to cause the sentiments of amity which the traditions of a long alliance have cemented between our two countries to prevail over the accidental divergencies, often inevitable, in the movement of affairs and the relations of governments. It is in this disposition that we have appreciated the communication which the Secretary of State has addressed to you, the 12th of February last. I will not follow Mr. Seward in the developments he has given to the exposition of the principles which direct the policy of the American Union. It does not appear to me opportune or profitable to prolong, on points of doctrine or of history, a discussion, where we may

differ in opinion from the government of the United States, without danger to the interests of the two countries. I think it better to serve those interests by abstaining from discussing assertions—in my opinion very contestable—in order to take action on assurances which may contribute to facilitate our understanding.

We never hesitate to offer to our friends the explanations they ask from us, and we hasten to give to the cabinet of Washington all those which may enlighten it on the purpose we are pursuing in Mexico, and on the loyalty of our intentions. We have said to it, at the same time, that the certainty we should acquire of its resolution to observe in regard to that country, after our departure, a policy of non-intervention, would hasten the moment when it would be possible for us, without compromising the interests which led us there, to withdraw our troops, and put an end to an occupation, the duration of which we are sincerely desirous to abridge. In his despatch of the 12th February last Mr. Seward calls to mind, on his part, that the government of the United States has conformed during the whole course of its history to the rule of conduct which it received from Washington, by practicing invariably the principle of non-intervention, and adds that nothing justifies the apprehension that it should show itself unfaithful in what may concern Mexico. We receive this assurance with entire confidence, and we find therein a sufficient guarantee not any longer to delay the adoption of measures intended to prepare for the return of our army. The Emperor has decided that the French troops shall evacuate Mexico in three detachments: the first being intended to depart in the month of November, 1866; the second in March, 1867; and the third in the month of November of the same year.

You will please to communicate this decision officially to the Secretary of State.

Receive, Marquis, the assurance of my high consideration.

DROUYN DE LHUYS.

The MARQUIS DE MONTHOLON,
Minister of the Emperor, at Washington.

No. 32.

Mr. Seward to Mr. Bigelow.

No. 438.] DEPARTMENT OF STATE,
Washington, April 21, 1866.

SIR: I have the honor to acknowledge the receipt of your despatch of the 6th of April, No. 297. It is accompanied by a copy of the Moniteur, the official organ of the government of France, to the effect following: "That the Emperor has decided that the French troops shall evacuate Mexico in three detachments: the first to leave in November, 1866; the second in March, 1867; the third in November, 1867."

You inform me that you learn from Mr. Drouyn de Lhuys that the decision mentioned in the Moniteur may be regarded as an official statement of the result of Baron Salliard's mission to Mexico.

Presuming that we may expect very soon to receive a direct communication of the Emperor's views on the subject of the proposed evacuation of Mexico, I think a discussion on our part of the newly presented points in the subject of the French intervention would at the present moment be premature.

I am, sir, your obedient servant,

WILLIAM H SEWARD.

JOHN BIGELOW, Esq., *&c., Paris.*

No. 33.

Mr. Seward to the Marquis de Montholon.

DEPARTMENT OF STATE,
Washington, April 23, 1866.

MY DEAR MARQUIS: I hasten, in advance of the departure of the mail, to acknowledge the receipt of your note of the 21st instant, together with the copy of a despatch you were pleased to give me, which was addressed to you on the 5th instant by Mr. Drouyn de Lhuys, in which the minister for foreign affairs for the empire of France replies to the communication I had the honor to address to you, concerning Mexican affairs, on the 12th of February last.

The subject will early receive the considerate attention of the President of the United States.

I am, my dear Marquis, very faithfully yours,

WILLIAM H. SEWARD.

The MARQUIS DE MONTHOLON, *&c.*

No. 34.

No. 167.] *Mr. Seward to Mr. Motley.*

DEPARTMENT OF STATE,
Washington, March 19, 1866.

SIR: Mr. Bigelow informs me, by a despatch of the 15th of February, that he learned "from an unofficial source that Gregorio Barandiran, the diplomatic representative of the Archduke Maximilian, formerly secretary of legation under Señor Robles at Washington, is now in Paris for money to fit out 10,000 Austrians, which he says are ready to embark from Trieste for Mexico. The Mexican commissioner informed him that there was no money in his hands. I am not sure of learning the result of the minister's suit here, as the money, if furnished, must come through indirect and concealed channels."

You are instructed to inquire concerning the facts, and if they justify the report, to bring it to the knowledge of the Austrian government seasonably, and say that the United States cannot regard with unconcern a proceeding which would seem to bring Austria into an alliance with the invaders of Mexico, to subvert the domestic republic, and build up foreign imperial institutions.

It is hoped Austria will give us frank explanations.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

J. LOTHROP MOTLEY, Esq., *&c., Vienna.*

No. 35.

Mr. Seward to Mr. Motley.

No. 169.] DEPARTMENT OF STATE,
Washington, March 19, 1866.

SIR: I have your despatch of the 27th of February, No. 150, by which we learn that efforts are now made to induce the Austrian government to consent that 4,000 volunteers may be levied within that empire this year, for Mexico, on the ground that the supplementary articles of the convention of Miramar permitted 2,000 each year, and that none were forwarded in the year 1865.

Upon this statement of facts you express the opinion that the consent desired will probably be accorded by the imperial government, so that if the funds can be obtained for paying, equipping, and transporting 4,000 officers and volunteers, they will be found and may be expected in Mexico this year. At the same time you state that it is your opinion that the funds have not yet been furnished.

The case thus presented renders it proper that I should call your especial attention to my despatch No. 167, which bears the date of, and is sent forward, this day.

In preparing that despatch I anticipated the case substantially which your communication now presents. You cannot, while practicing the courtesy and respect which are due to the Austrian government, be either too earnest or too emphatic in the protest you have been directed to make.

In performing this duty, you may be assisted by information of the actual state of the question concerning French intervention in Mexico, at the present moment. With this view, I give you, confidentially, a copy of my note addressed to the Marquis de Montholon on the 12th day of February last. As yet, no reply has been received to this note, nor have its contents become public. You will, therefore, see the propriety of being discreet in such use of it as you may find it necessary to make.

After reading that paper you will be justified in saying that the American government and people would not be likely to be pleased with seeing Austria at this juncture assume the character of a protector to the foreign military power which, claiming the form of an empire, is attempted to be set up upon the supposed subverted foundations of the republic of Mexico.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

J. LOTHROP MOTLEY, Esq., &c., *Vienna.*

No. 36.

Mr. Seward to Mr. Motley.

No. 173.] WASHINGTON, *April* 6, 1866.

SIR: An informal note has just been received from Mr. Bigelow, the United States minister at Paris. In this note Mr. Bigelow writes, in substance, as follows:

"The Moniteur of the 21st of March announces that a military convention was signed at Vienna on the 15th, between the Austrian government and the representatives of Maximilian, supplementary to a convention of the same nature which had been previously concluded between the same parties.

"The purpose of this engagement, says the Moniteur, is to insure the enrolments necessary to keep full the Austrian corps in Mexico."

Mr. Bigelow further writes as follows:

"I have seen it stated in another journal that a line of steamers is to be started from Trieste to Vera Cruz—to ply regularly after the first of April."

Again Mr. Bigelow furnishes an extract from the Paris Constitutionnel of the 21st of March:

"We learn from the Freudenblatt, of Vienna, that the enlistment for Mexico will begin immediately; that the funds had been received from Paris two months since."

Your despatches of dates almost as late as that of Mr. Bigelow's note are silent upon the rumors which he brings to the notice of this government. It is possible that more authentic information which you may possess concerning the disposition and proceedings of the Austrian government may enable you to treat the matters mentioned by Mr Bigelow with indifference.

Looking at the matter, however, from our point of observation, the rumors referred to are deemed sufficient to entitle us to ask a friendly and just exposition of the imperial royal government of the relations which it proposes to assume or maintain henceforth in regard to Mexico.

You are expected, therefore, to execute the instructions which have heretofore been sent to you to that effect; and it is thought proper that you should state that, in the event of hostilities being carried on hereafter in Mexico by Austrian subjects, under the command or with the sanction of the government of Vienna, the United States will feel themselves at liberty to regard those hostilities as constituting a state of war by Austria against the republic of Mexico; and in regard to such war, waged at this time and under existing circumstances, the United States could not engage to remain as silent or neutral spectators.

The President may desire to call the attention of Congress to this interesting subject. You will see the importance, therefore, of obtaining the information which is desired as early as may be practicable consistently with the courtesies due to Austria as a friendly government.

Should you, however, find important reasons, now unknown to us, for deferring the execution of this instruction, you will be at liberty to exercise your discretion and report those reasons to us.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

J. LOTHROP MOTLEY, Esq., *&c., Vienna.*

No. 37.

Mr. Seward to Mr. Motley.

No. 174.] DEPARTMENT OF STATE,
Washington, April 16, 1866.

SIR: I have had the honor to receive your despatch of the 27th of March, No. 155, which brings the important announcement that a treaty, called a "military supplementary convention," was ratified on the 15th of that month between the Emperor of Austria and the Prince Maximilian, who claims to be an emperor in Mexico.

You inform me that it is expected that about one thousand volunteers will be shipped (under this treaty) from Trieste to Vera Cruz very soon, and that at least as many more will be shipped in the autumn.

I have heretofore given you the President's instructions to ask for explanations, and, conditionally, to inform the government of Austria that the despatch of military expeditions by Austria under such an arrangement as the one which seems now to have been consummated would be regarded with serious concern by the United States.

The subject has now been further considered in connexion with the official information thus recently received. The time seems to have arrived when the attitude of this government in relation to Mexican affairs should be once again frankly and distinctly made known to the Emperor of Austria, and all other powers whom it may directly concern. The United States, for reasons which seem to them to be just, and to have their foundation in the laws of nations, maintain that the domestic republican government with which they are in relations of friendly communication is the only legitimate government existing in Mexico; that a war has for a period of several years been waged against that republic by the government of France; which war began with a disclaimer of all political or dynastic designs; that that war has subsequently taken upon itself and now distinctly wears the character of an European intervention to over-

throw that domestic republican government, and to erect in its stead an European, imperial, military despotism by military force. The United States, in view of the character of their own political institutions, their proximity and intimate relations towards Mexico, and their just influence in the political affairs of the American continent, cannot consent to the accomplishment of that purpose by the means described. The United States have therefore addressed themselves, as they think, seasonably to the government of France, and have asked that its military forces, engaged in that objectionable political invasion, may desist from further intervention and be withdrawn from Mexico.

A copy of the last communication upon this subject, which was addressed by us to the government of France, is herewith transmitted for your special information. This paper will give you the true situation of the question. It will also enable you to satisfy the government of Vienna that the United States must be no less opposed to military intervention for political objects hereafter in Mexico by the government of Austria, than they are opposed to any further intervention of the same character in that country by France.

You will, therefore, at as early a day as may be convenient, bring the whole case, in a becoming manner, to the attention of the imperial royal government. You are authorized to state that the United States sincerely desire that Austria may find it just and expedient to come upon the same ground of non-intervention in Mexico which is maintained by the United States, and to which they have invited France.

You will communicate to us the answer of the Austrian government to this proposition.

This government could not but regard as a matter of serious concern the despatch of any troops from Austria for Mexico while the subject which you are thus directed to present to the Austrian government remains under consideration.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

J. LOTHROP MOTLEY, Esq., &c., *Vienna.*

[Appendix No. 2.]

No. 41.

DISCRIMINATION AGAINST AMERICAN COMMERCE BY THE USURPER OF MEXICO.

Message from the President of the United States, transmitting a report of the Secretary of the Treasury in answer to a resolution of the House, relative to a discrimination against American commerce by the so-called Maximilian government.

To the House of Representatives:

I transmit herewith a report from the Secretary of the Treasury, in answer to the resolution of the House of Representatives of the 3d instant, requesting information concerning discriminations made by the so-called Maximilian government of Mexico against American commerce, or against commerce from particular American ports.

ANDREW JOHNSON.

WASHINGTON, D. C, *May* 10, 1866.

TREASURY DEPARTMENT, *May* 9, 1866.

SIR: In response to a resolution of the House of Representatives, transmitted to this department by the Department of State, in which the President of the United States is requested, if not incompatible with the public service, to communicate to the House any information he may have concerning discriminations made by the so-called Maximilian government of Mexico against American commerce, or against commerce from particular American ports, I have the honor to transmit herewith a copy of a communication of the 7th of February last from the late collector of customs of the port of Brownsville, Texas, in which mention is made of an order promulgated in the city of Matamoras, Mexico, a few days before the date of the letter, to the effect that all goods coming to Brownsville from that city, or going to Matamoras from Brownsville, should pay full duties. This order is represented to be in conflict with the policy which for four years had been recognized in that section, under which all goods entering Matamoras were free of duty, being subject thereto only when sold to go into the interior of Mexico; or, having entered Matamoras, if they were exported to a foreign country, they are said to have been subject to one-quarter of the full duties.

As the order referred to is alleged not to extend to Bagdad, Mexico, the collector considered its object to be a discrimination against the trade of Brownsville, but he fails to state by what authority, whether purely local or otherwise, it was promulgated.

I have the honor to be, very respectfully,

H. McCULLOCH,
Secretary of the Treasury.

ANDREW JOHNSON, *President of the United States.*

DISTRICT OF BRAZOS DE SANTIAGO,
Port of Brownsville, February 7, 1866.

SIR: I have the honor to report for your information the following state of affairs at this port:

A week since there was promulgated an order in the city of Matamoras, Mexico, that all goods coming to Brownsville, Texas, from Matamoras, or coming to Matamoras from Brownsville, should pay full duties. Since four years Matamoras has, by law of Mexico, been a free port, and goods or merchandise pay no duties to enter the city. Only when they are sold to go to the interior of the country are duties paid; or when parties having entered merchandise into the city desire to export it again to foreign countries, *they* then pay one-quarter of the full duties.

This new order does not alter the amount of duties to be paid if the importation or exportation is made at Bagdad; there a merchant has all the benefit of the free port; but on the other hand, if he leaves his cargo at Brazos or Brownsville he has to pay full duties, or four times as much to enter, or three times as much to export.

The reason of this order is pure anger and fear that Brownsville will do all the business of Mexico as it did before the war. They hope, by a decree against Brownsville, to force all the trade through their port, and put all the freight in their own hands.

The working of the decree is as they hoped—no business can be done at this place. As the whole business of Brownsville is with Mexico, of course all trade is paralyzed. Merchants who have brought goods here for sale in Mexico find themselves, without premonition, shut out completely, as it would be impossible to compete with merchants who import through Bagdad.

This is a matter of vital importance to Brownsville and the Rio Grande fron-

tier. Whether it will be continued it will be impossible to say, as Mexican decrees are as variable as the wind.

There is, however, one mode of redress which would have the immediate effect of showing them that the rule will work both ways. An order from the treasury to the collectors of the ports of New Orleans, Galveston, and Indianola, not to clear any vessel for the port of Bagdad, or Matamoras, Mexico, until you had laid the matter before the authorities of Mexico, would cause consternation at Matamoras, as they draw all their supplies of corn, hay, lard, flour, and in fact, nearly all groceries, from those cities. The cities of Tampico and Vera Cruz would then do all the business of the interior of Mexico, and San Antonio, Texas, the trade of Chihuahua, while this place would feed all the Rio Grande valley.

In justice, however, to many of the prominent merchants of Matamoras, I should state that they are entirely opposed to this decree, while others interested in the promotion of Bagdad are the originators.

Any change or relaxation of this most singular decree against Texas I shall promptly report.

I have the honor to remain, most respectfully, your obedient servant,

CHARLES WORTHINGTON, *Collector.*

Hon. HUGH MCCULLOCH,
Secretary of the Treasury.

[Appendix No. 3.]

No. 42.

CORRESPONDENCE IN REGARD TO THE DEPARTURE OF AUSTRIAN TROOPS FOR MEXICO.

Message from the President of the United States communicating, in compliance with a resolution of the Senate of the 13th instant, information in regard to the departure of troops from Austria for Mexico.

To the Senate of the United States:

In compliance with a resolution of the Senate of the 13th instant, calling for information in regard to the departure of troops from Austria for Mexico, I transmit a report from the Secretary of State, and the documents by which it was accompanied.

ANDREW JOHNSON.

WASHINGTON, *June* 15, 1866.

DEPARTMENT OF STATE,
Washington, June 15, 1866.

The Secretary of State, to whom was referred the resolution of the Senate of the 13th instant, requesting the President "to communicate to the Senate, if not incompatible with the public interest, any information in the possession of the executive government in regard to the departure of troops from Austria for Mexico," has the honor to lay before the President a copy of the correspondence specified in the accompanying list.

Respectfully submitted:

WILLIAM H. SEWARD

The PRESIDENT.

List of papers.

No. 1. Mr. Motley to Mr. Seward, (extract,) No. 138..... Dec. 18 1865.
No. 2. Mr. Motley to Mr. Seward, No. 150..... Feb. 27 1866.
No. 3. Mr. Seward to Mr. Motley, No. 167..... Mar. 19, 1866.
No. 4. Mr. Seward to Mr. Motley, No. 169..... Mar. 19, 1866.
No. 5. Mr. Motley to Mr. Seward, No. 155..... Mar. 27, 1866.
No. 6. Mr. Seward to Mr. Motley, No. 173..... Apr. 6, 1866.
No. 7. Mr. Motley to Mr. Seward, No. 158..... Apr. 6, 1866.
No. 8. Mr. Seward to Mr. Motley, No. 174..... Apr. 16, 1866.
No. 9. Mr. Seward to Mr. Motley, No. 181..... Apr. 30, 1866.
No. 10. Mr. Motley to Mr. Seward, No. 167..... May 1, 1866.
No. 11. Mr. Seward to Mr. Motley, No. 182..... May 3, 1866.
No. 12. Mr. Motley to Mr. Seward, No. 169..... May 6, 1866.
No. 13. Mr. Motley to Count Mensdorff..... May 6, 1866.
No. 14. Mr. Canisius to Mr. Seward, No. 57..... May 8, 1866.
No. 15. Mr. Motley to Mr. Seward, No. 174..... May 15, 1866.
No. 16. Mr. Motley to Mr. Seward, No. 177..... May 21, 1866.
No. 17. Mr. Seward to Mr. Motley, No. 184..... May 26, 1866.
No. 18. Mr. Seward to Mr. Motley, No. 185..... May 26, 1866.
No. 19. Mr. Seward to Mr. Motley, No. 186..... May 30, 1866.
No. 20. Mr. Seward to Mr. Motley, No. 189..... June 9, 1866.
No. 21. Extracts from the *Debats*..... May 18, 1866.
No. 22. Mr. Bigelow to Mr. Seward, (extract,) No. 325..... May 25, 1866.
No. 23. Mr. Seward to Mr. Bigelow, No 469..... May 31, 1866.
No. 24. Mr. Seward to Mr. Bigelow, No. 474..... June 4, 1866.
No. 25. Mr. Seward to Mr. Bigelow, No. 476..... June 6, 1866.

No. 1.

Mr. Motley to Mr. Seward.

[Extract.]

No. 138.] UNITED STATES LEGATION,
Vienna, December 18, 1865.

SIR: I think it proper to send you herewith appended, marked A, a translation of a paragragh recently published in the semi-official papers and in the official Gazette of Vienna in regard to the enlistment in Austria for Mexico.

* * * * * *

I have the honor to remain your obedient servant,
J. LOTHROP MOTLEY.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

A.

Extract from the "General Correspondenz," and copied into the Vienna Gazette (official) of December 15, 1865.

[Translation.]

We have already taken occasion long ago to contradict in the most decisive manner the reports, apparently spread with design, in regard to pretended agreements for the sending of troops to Mexico on the part of Austria and the arrangements thereto appertaining.

Similar reports are once more willingly spread, and may have originated in an article of the Patrie, which paper pretended to know that movements of imperial royal Austrian troops and subaltern officers to Mexico were impending, a fact which undoubtedly would have the character of a sending of Austrian auxiliary troops.

The manner in which this news has lately, and particularly by the Paris correspondent of the Cologne Gazette, been made use of against Austria, prompts us once more to refer to this affair, and to affirm in the most positive manner that these reports are nothing but inventions made for a purpose.

The truth in the whole question is limited to this, that it is proposed to permit such persons as have already fulfilled their military duty to Austria, but only such, to enlist in the Mexican service, in the same manner and with the same conditions as was the case when the last year's first enlistments for the Austrian-Mexican volunteer corps took place. The object of these newly permitted enlistments, as has already been explicitly stated, would only be to provide substitutes for the numerous vacancies in the Austrian volunteer corps serving in Mexico. The newly enlisted, like those who entered the volunteer corps in the year 1864, take the military oath to the emperor of Mexico, and pledge themselves to him for a six years' service. Their flag is not the Austrian, but the Mexican, and the power of Austria is in nowise engaged through them, or for them. Also, it is entirely false when the Patrie puts the number of those volunteers at 10,000 men; the latest enlistments in Austria for Mexico, concerning the permission for which negotiations are now in progress, would in any event not exceed yearly the total number of 2,000 men.

Whilst we are endeavoring to give a true and correct statement of this affair, we have to remark that no binding resolves have been taken in regard to this affair, but that, on the contrary, the negotiations on the subject have only just begun. But these may, however, very probably lead to the conclusion of a supplemental convention to the agreement entered into last year, of which the chief object was to place as securely as possible the rights of those enlisting, who, after all, remain at the same time Austrian subjects.

No. 2.

Mr. Motley to Mr. Seward.

No. 150.] UNITED STATES LEGATION,
Vienna, February 27, 1866.

SIR: I think it is as well to state, referring to my confidential despatch No. 148, of date February 20, 1866, that I have been informed that efforts are making to induce the Austrian government to consent that 4,000 volunteers may be levied here this year for Mexico, on the ground that the supplementary article to the convention of Miramar permitted two thousand each year, and that none were forwarded in the year 1865.

I learn that this consent will probably be accorded, so that if the funds can be obtained for paying, equipping, and transporting them, 4,000 Austrian volunteers will be found and may be expected in Mexico this year. I believe that the funds have not yet been furnished.

I have the honor to remain, your obedient servant,

J. LOTHROP MOTLEY.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

No. 3.

Mr. Seward to Mr. Motley.

No. 167.] DEPARTMENT OF STATE,
Washington, March 19, 1866.

SIR: Mr. Bigelow informs me, by a despatch of the 15th of February, that he learned from an unofficial source that "Gregorio Barandiran, the diplomatic representative of the Archduke Maximilian, formerly secretary of legation under Señor Robles at Washington, is now in Paris for money to fit out 10,000 Austrians, who, he says, are ready to embark from Triest for Mexico. The Mexican commissioner informed him that there was no money in his hands. I am not sure of learning the result of the minister's suit here, as the money, if furnished, must come through indirect and concealed channels."

You are instructed to inquire concerning the facts, and if they justify the report, to bring it to the knowledge of the Austrian government seasonably, and say that the United States cannot regard with unconcern a proceeding which would seem to bring Austria into an alliance with the invaders of Mexico, to subvert the domestic republic, and build up foreign imperial institutions.

It is hoped Austria will give us frank explanations.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

J. LOTHROP MOTLEY, Esq, *&c., &c., Vienna.*

No. 4.

Mr. Seward to Mr. Motley.

No. 169.] DEPARTMENT OF STATE,
Washington, March 19, 1866.

SIR: I have your despatch of the 27th of February, No. 150, by which we learn that efforts are now made to induce the Austrian government to consent that 4,000 volunteers may be levied within that empire this year, for Mexico, on the ground that the supplementary article of the convention of Miramar permitted 2,000 each year, and that none were forwarded in the year 1865.

Upon this statement of facts you express the opinion that the consent desired will probably be accorded by the imperial government, so that if the funds can be obtained for paying, equipping and transporting 4,000 officers and volunteers, they will be found, and may be expected in Mexico this year. At the same time you state, that it is your opinion that the funds have not yet been furnished.

The case thus presented renders it proper that I should call your especial attention to my despatch No. 167, which bears the date of, and is sent forward, this day.

In preparing that despatch I anticipated the case substantially which your communication now presents. You cannot, while practicing the courtesy and respect which are due to the Austrian government, be either too earnest or too emphatic in the protest you have been directed to make.

In performing this duty, you may be assisted by information of the actual state of the question concerning French intervention in Mexico, at the present moment. With this view, I give you, confidentially, a copy of my note addressed to the Marquis de Montholon on the 12th day of February last. As yet, no reply has been received to this note, nor have its contents become public. You will, therefore, see the propriety of being discreet in such use of it as you may find it necessary to make.

After reading that paper you will be justified in saying that the American government and people would not be likely to be pleased with seeing Austria at this juncture assume the character of a protector to the foreign military power which, claiming the form of an empire, is attempted to be set up upon the supposed subverted foundations of the republic of Mexico.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

J. LOTHROP MOTLEY, Esq., &c., &c., *Vienna.*

No. 5.

Mr. Motley to Mr. Seward.

No. 155.] UNITED STATES LEGATION,
Vienna, March 27, 1866.

SIR: The military supplementary convention between that government of Mexico which is here recognized as the legitimate one and the Austrian government was signed on the 15th of this month.

As the nature and conditions of this agreement have already been fully stated in my despatches of January 8, February 20, and February 27, (Nos. 142, 148, and 150,) the matter can be no novelty to you, and there seems no necessity for repeating what has already been said.

It is expected that about 1,000 volunteers will be shipped very soon from Triest to Vera Cruz, and at least as many more in the autumn.

I have the honor to remain, sir, your obedient servant,

J. LOTHROP MOTLEY.

Hon. WILLIAM H. SEWARD,
Secretary of State.

No. 6.

Mr. Seward to Mr. Motley.

No. 173.] WASHINGTON, *April* 6, 1866.

SIR: An informal note has just been received from Mr. Bigelow, the United States minister at Paris. In this note Mr. Bigelow writes, in substance, as follows:

"The Moniteur of the 21st of March announces that a military convention was signed at Vienna on the 15th, between the Austrian government and the representative of Maximilian, supplementary to a convention of the same nature which had been previously concluded between the same parties.

"The purpose of this engagement, says the Moniteur, is to insure the enrolments necessary to keep full the Austrian corps in Mexico."

Mr. Bigelow further writes as follows:

"I have seen it stated in another journal that a line of steamers is to be started from Triest to Vera Cruz, to ply regularly after the 1st of April."

Again, Mr. Bigelow furnishes an extract from the Paris Constitutionel of the 21st of March:

"We learn from the Freudenblatt, of Tienna, that the enlistment for Mexico will begin immediately; that the funds had been received from Paris two months since."

Your despatches of dates almost as late as that of Mr. Bigelow's note are silent upon the rumors which he brings to the notice of this government. It is possible that more authentic information which you may possess concerning the disposition and proceedings of the Austrian government may enable you to treat the matter mentioned by Mr. Bigelow with indifference.

Looking at the matter, however, from our point of observation, the rumors referred to are deemed sufficient to entitle us to ask a friendly and just exposition of the imperial royal government of the relations which it proposes to assume or maintain henceforth in regard to Mexico.

You are expected, therefore, to execute the instructions which have heretofore been sent to you to that effect; and it is thought proper that you should state that, in the event of hostilities being carried on hereafter in Mexico by Austrian subjects, under the command or with the sanction of the government of Vienna, the United States will feel themselves at liberty to regard those hostilities as constituting a state of war by Austria against the republic of Mexico; and in regard to such war, waged at this time and under existing circumstances, the United States could not engage to remain as silent or neutral spectators.

The President may desire to call the attention of Congress to this interesting subject. You will see the importance, therefore, of obtaining the information which is desired as early as may be practicable consistently with the courtesies due to Austria as a friendly government.

Should you, however, find important reasons, now unknown to us, for deferring the execution of this instruction, you will be at liberty to exercise your discretion and report those reasons to us.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

J. LOTHROP MOTLEY, Esq., *&c.*, *&c.*, *Vienna.*

No. 7.

Mr. Motley to Mr. Seward.

No. 158.] LEGATION OF THE UNITED STATES,
Vienna, April 6, 1866.

SIR: I had the honor to receive your No. 167, of date March 19. In this despatch it is stated that Mr. Bigelow informs you, under date of February 15, from an unofficial source, that "Gregorio Barandiran, the diplomatic representative of the Archduke Maximilian, formerly secretary of legation under Señor Robles, at Washington, is now in Paris for money to fit out 10,000 Austrians, which, he says, are ready to embark from Triest for Mexico. The Mexican commissioner informed him that there was no money in his hands. I am not sure of learning the result of the minister's suit here, as the money, if furnished, must come through indirect and concealed channels."

In consequence of this information furnished by Mr. Bigelow, you instruct me to "inquire concerning the facts, and, if they justify the report, to bring it to the knowledge of the Austrian government seasonably, and say that the United States cannot regard with unconcern a proceeding which would seem to bring Austria into alliance with the invaders of Mexico to subvert the domestic republic and build up foreign imperial institutions. It is hoped that Austria will give us frank explanations."

In reply, I have to observe that Mr. Bigelow, in a private note to me of the same date as his despatch above cited, mentioned this report of the "10,000 Austrians ready to embark at Triest for Mexico," but the story was so entirely at variance with everything well known to me here that I attributed very

little importance to it. In order to make assurances more sure, however, I took pains instantly to verify the facts in the most exact and authentic manner. I learned, accordingly, that, instead of there being 10,000 Austrians at Triest, there was not one Austrian soldier ready to embark at that port, or at any other point in this empire.

This intelligence, from the most unquestionable source, was transmitted by me in a private note to Mr. Bigelow, but I confess that I did not consider it worth while to trouble you with a matter which seemed to be mere newspaper gossip. I felt that, so long as I was deemed worthy of my present post, you would feel confident that I should always furnish you with accurate intelligence as to important events occurring in Austria, and that the concentration and embarcation for Mexico of 10,000 Austrians at Triest were facts not likely to escape my notice.

You will doubtless remember that in my despatch of the 8th of January I stated, on official authority, that the Austrian government had consented that volunteers should be levied in this empire, from men who had fulfilled their term of service in Austria, in numbers sufficient to keep full the original legion in Mexico of 6,000 men.

As the supplementary convention to that effect had not then been signed, it was not possible to give you more definite information.

Subsequently, on the 20th of February, I informed you that the supplementary articles permitted the levy of 2,000 men each year for a certain period; and on the 29th of February I added that, as no volunteers had been sent in 1865, it was now permitted to send two quotas of 2,000 men each during the year 1866.

I also stated that the equipping and transporting of these troops, and all other expenses, were to be defrayed by that government at Mexico which has been recognized here as the legitimate one, and not in any proportion by the Austrian government. As you have especially instructed me not to engage in official or political discussions on the Mexican subject with the government to which I am accredited, and as that injunction, to which I have repeatedly and very lately alluded in this correspondence, has never been removed, I should have thought myself violating my duty had I taken the responsibility of entering any protest on the part of the United States government against these proceedings.

My personal opinions in regard to this attempt, by means of foreign armies and navies, to set up a foreign empire on the ruins of an American republic, are perfectly well known here and at home.

What is of infinitely more importance, every government in Europe, that of Austria included, knows the position of the United States government, and is aware that it will never, so long as a foreign power occupies the territory and waters of Mexico with its military and naval forces, recognize the existence of an empire which that power has sought to establish, nor accept it as the creation of the Mexican national will.

But I am now somewhat embarrassed by the instructions contained in your despatch No. 167.

It seems to me that if I should intimate now (as instructed by you, on receiving the rumors contained in Mr. Bigelow's despatch) that "Austria is in alliance with the invaders of Mexico," and should express the hope that "she will give us frank explanations," I should appear to suggest that the imperial royal government had not hitherto been frank in her dealings on this subject.

Now, it is my duty to say that I believe the imperial government has been perfectly sincere, straightforward, and loyal towards the United States in this matter, and in every other, since I have had the honor of holding my present post.

There have been no concealments, as I firmly believe, as to her position, in regard to what is called here the Mexican empire.

It has been uniformly stated by the imperial government that it had nothing to do with the attempt to establish that empire; that it had neither a military nor mercantile navy, nor superfluous land forces, adequate to sustain, by force, the government which the Archduke Maximilian sought to establish in Mexico; that his acceptance or rejection of the offer made to him in 1863 was a matter which personally concerned only himself and his brother, the Emperor of Austria, and that the imperial royal government was in no alliance, direct or indirect, with the proposed new government of Mexico.

The Austrian government had allowed a certain number of volunteers to be raised for service in Mexico by the emperor's brother, a proceeding which would, of course, have been a violation of Austrian sovereignty, had it been done without permission.

What would have been the answer to a protest by the United States government against the original convention of Miramar granting that permission, or of a similar protest to the supplementary convention signed here on the 15th of last March, I cannot tell.

I suppose, however, that if the United States government had permitted, or were now to permit, the republican government of Mexico, recognized by the United States as the legitimate one, to raise volunteers within the territory of the United States, in whatever numbers, the Austrian government would not consider itself authorized to protest against such a measure, or to resent it.

It would, I suppose, consider that a measure incident to the sovereignty of the United States, and whatever might be the effect produced upon the various belligerents in Mexico by such a step, Austria, as a neutral, would not be affected by it.

My embarrassment is somewhat increased by the perusal of your No. 169, bearing the same date (19th of March) as your No. 167, both reaching me under the same envelope.

In this later despatch, which acknowledges receipt of my No. 150, giving information that the supplementary convention thereafter to be signed would allow a double yearly quota, viz., 4,000 volunteers, to go to Mexico this year, on the ground that none were forwarded in the year 1865, you call my especial attention to your No. 167.

You observe that in preparing that despatch you anticipated the case substantially which my communication now presents. You instruct me further that while practicing the courtesy and respect which are due to the Austrian government, I cannot be either too earnest or too emphatic in the protest which I have been directed to make.

You further send for my guidance a copy of the note addressed to you by the Marquis de Montholon on the 12th of February, by which I learn the actual state of the question concerning French intervention in Mexico.

You also observe, that after reading that paper I shall be justified in saying that the "American government and people would not be likely to be pleased with seeing Austria at this juncture assume the character of a protector to the foreign military power which, claiming the form of an empire, is attempted to be set up upon the supposed subverted foundations of the republic of Mexico."

As a matter of fact, officially published here, only 1,000 volunteers are to go this summer. Whether this restriction is in order to avoid the unhealthy season in Vera Cruz, or because funds have not been provided for equipping and transporting a larger number, I know not.

As soon as the supplementary convention was signed last month, I instructed Mr. Thayer, United States consul at Triest, to send me accurate intelligence as to the number of troops, dates of sailing, and other particulars of interest in this

connexion, so that you may rely upon my keeping you duly informed on the subject.

It is my anxious desire to perform my duty to the United States government with the utmost fidelity in this most serious affair. I think that if I could have the advantage of direct conversation with you I should easily convince you that there is no intention on the part of Austria to succeed the French government in the position of protector to the foreign military power which it is attempted to set up in Mexico, and that it would be difficult for the imperial royal government to disavow any such intention more frankly and loyally than it has uniformly done.

If your efforts to bring about the evacuation of Mexico by the French army are successful, I do not think that the Austrian volunteers in that country will be sufficiently numerous to prevent a free expression of the national will as to the form of government thenceforth to be adopted. I also consider it indisputable that, whatever be the result, the Austrian government will never deem itself either directly or by implication called upon to sustain the cause which those volunteers have endeavored to support.

After making these preliminary observations at no greater length, I trust, than is justified by the importance of the subject, I proceed to say that, in view of your decided and unequivocal instructions just received, I deem it, of course, my duty to break the official silence hitherto imposed upon me, and to bring the opinions of the United States government to the direct notice of the imperial royal government.

As, however, I consider frankness and sincerity the best rule in diplomacy, and especially on this occasion, I have decided to request the imperial royal minister for foreign affairs to read this despatch before I send it to you.

Should his excellency find in it any misstatements or wrong inferences, or if he should favor me with any suggestions or comments, I shall have the honor duly to notify you thereof in a subsequent despatch, probably by the same post that will take this one.

P. S.—The Moniteur of yesterday informs us as to the terms fixed for the evacuation of Mexico by the French army—whether to the satisfaction, or not, of the United States government I know not.

I have the honor to remain, sir, most respectfully, your very obedient servant,

J. LOTHROP MOTLEY.

Hon. WILLIAM H. SEWARD,
Secretary of State.

No. 8.

Mr. Seward to Mr. Motley.

No. 174.] DEPARTMENT OF STATE,
Washington, April 16, 1866.

SIR: I have had the honor to receive your despatch of the 27th of March, No. 155, which brings the important announcement that a treaty, called a "military supplementary convention," was ratified on the 15th of that month between the Emperor of Austria and the Prince Maximilian, who claims to be an emperor in Mexico.

You inform me that it is expected that about one thousand volunteers will be shipped (under this treaty) from Triest to Vera Cruz very soon, and that at least as many more will be shipped in the autumn.

I have heretofore given you the President's instructions to ask for explanations, and, conditionally, to inform the government of Austria that the despatch

of military expeditions by Austria under such an arrangement as the one which seems now to have been consummated would be regarded with serious concern by the United States.

The subject has now been further considered in connexion with the official information thus recently received. The time seems to have arrived when the attitude of this government in relation to Mexican affairs should be once again frankly and distinctly made known to the Emperor of Austria, and all other powers whom it may directly concern. The United States, for reasons which seem to them to be just, and to have their foundation in the laws of nations, maintain that the domestic republican government with which they are in relations of friendly communication is the only legitimate government existing in Mexico; that a war has for a period of several years been waged against that republic by the government of France, which war began with a disclaimer of all political or dynastic designs; that that war has subsequently taken upon itself, and now distinctly wears, the character of an European intervention to overthrow that domestic republican government, and to erect in its stead a European imperial military despotism by military force. The United States, in view of the character of their own political institutions, their proximity and intimate relations towards Mexico, and their just influence in the political affairs of the American continent, cannot consent to the accomplishment of that purpose by the means described. The United States have therefore addressed themselves, as they think, seasonably to the government of France, and have asked that its military forces, engaged in that objectionable political invasion, may desist from further intervention and be withdrawn from Mexico.

A copy of the last communication upon this subject, which was addressed by us to the government of France, is herewith transmitted for your special information. This paper will give you the true situation of the question. It will also enable you to satisfy the government of Vienna that the United States must be no less opposed to military intervention for political objects hereafter in Mexico by the government of Austria, than they are opposed to any further intervention of the same character in that country by France.

You will, therefore, at as early a day as may be convenient, bring the whole case, in a becoming manner, to the attention of the imperial royal government. You are authorized to state that the United States sincerely desire that Austria may find it just and expedient to come upon the same ground of non-intervention in Mexico which is maintained by the United States, and to which they have invited France.

You will communicate to us the answer of the Austrian government to this proposition.

This government could not but regard as a matter of serious concern the despatch of any troops from Austria for Mexico while the subject which you are thus directed to present to the Austrian government remains under consideration.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

J. LOTHROP MOTLEY, Esq., *&c.*, *&c.*, *Vienna.*

No. 9.

Mr. Seward to Mr. Motley.

No. 181.] DEPARTMENT OF STATE,
Washington, April 30, 1866.

SIR: I have the honor to acknowledge the reception of your despatches of the 6th of April, No. 158, and the 10th of April, No. 159.

These papers inform me that you have brought my despatches Nos. 167 and 169 to the notice of the imperial government, although not without some hesitation and embarrassment. Subsequently to the time when that duty was performed you must have received my despatch of April 6, No. 173, my further despatch of April 16, No. 174, and also my confidential despatch of April 16, No. 176, all of which despatches relate to the situation of Mexico.

I trust that these several communications will have cleared away whatever uncertainty you may heretofore have felt concerning the views of this government in regard to that subject.

In your No. 158 you have assumed that this government could not justly regard as a departure from neutrality by the Austrian government the authority which it has given by entering into a recent treaty with the Prince Maximilian for the recruiting of volunteers by him in Austria and their despatch by him to Mexico.

In support of this assumption you argue that the United States would not be willing to admit that it would be a violation of neutrality on their part to permit the recruiting of volunteers within their jurisdiction for military service under the republican banner in Mexico.

Your assumption, and the argument upon which you built it, were submitted by you to Count Mensdorff, and it is not unlikely that he may have inferred that the assumption is consistent with the views which are entertained by the United States, and would therefore be approved by them. It becomes necessary, for this reason, for me to say that I do not acquiesce in your position.

While any citizen of the United States is at liberty, under municipal and international laws, to expatriate himself unarmed, and to engage individually, when abroad, in any foreign service that he may choose, yet, on the other hand, the laws of the United States and the law of nations, as they are understood by us, forbid this government from authorizing or permitting the enlistment or organization on American ground, or the departure from our territory, of armed military forces to carry on hostilities against any foreign state, except in a war against that state duly declared by Congress.

The Prince Maximilian is either a principal or a subordinate belligerent in Mexico. The treaty which has been made between Austria and that belligerent, by which the former authorizes the organization within the Austrian dominions of two thousand or more volunteers, manifestly to be engaged in war against the republic of Mexico, is deemed by the government inconsistent with the principle of neutrality, and an engagement with Maximilian in his invasion of that republic.

I give you herewith a copy of a note which was received on the 21st of April instant, from the Marquis de Montholon, together with a copy of the despatch which was addressed to that minister by Mr. Drouyn de Lhuys on the 5th of April instant.

I give you also a copy of the reply which I have made to the note of the Marquis.

These several papers, together with my aforementioned despatches, which you will now have received, will put you fully in possession of the opinions of this government, and of the duty which it has called upon you to perform.

It will be an occasion of sincere satisfaction if you shall be able to obtain from the imperial government an assurance that Austria will not hereafter intervene, by sending or by giving permission to the despatch of military forces from within her dominions to make or continue a war against the republic of Mexico.

I refrain from discussing the question you have raised, "whether the recent instructions of this department harmonize entirely with the policy which it pursued at an earlier period of the European intervention in Mexico."

Your despatch is calculated to produce an impression that, notwithstanding our protest, you expect the Austrian government will still permit the departure

of the volunteers under the treaty, without waiting to give us an answer to that protest, and without affording us time to consider and reply to such answer as that government shall see proper and convenient to make. Should the Austrian government insist upon proceeding in that manner, and to the extremity thus indicated, then this government will expect you to retire from Vienna, as directed in my aforesaid despatch No. 176.

I forbear also from discussing the question which you have raised of the propriety of some of the proceedings which have been taken by Mr. Bigelow in Paris, nor do I think it necessary to enter upon the consideration of the explanations which you have given of your own views in regard to these subjects.

The European war against the republic of Mexico has been from the beginning a continual menace against this government, and even against free institutions throughout the American continent. I feel very sure that no friend of such institutions, either at home or abroad, will ever well question the necessity, the wisdom, or the justice of the policy which we have steadily pursued and are still pursuing in regard to that war. It would be unprofitable for us, under such circumstances, to open personal discussions about that policy among ourselves.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

J. LOTHROP MOTLEY, Esq., &c., &c., *Vienna.*

No. 10.

Mr. Motley to Mr. Seward.

No. 167.] UNITED STATES LEGATION,
Vienna, May 1, 1866.

SIR: Many of the Vienna papers of last week published the following paragraphs, which I have reason to believe accurate:

"The shipment of the newly levied recruits for the Austrian volunteer corps in Mexico is fixed for the 15th May.

"According to an advertisement fastened to the council-house door, the last enlistments for Mexico take place on the 27th, 28th, and 30th April. As hand-money, 25, 30, and 35 florins are offered. According to telegraphic accounts received to-day at the war department, from the various districts, the recruiting for the Mexican volunteer corps is taking a favorable course. The greater part of the newly enlisted men have already arrived at the head depot in Laybach, and are fully uniformed.

"Some of them have received a furlough until the moment of sailing, and are seen in their new uniforms in Vienna.

"The number levied in Vienna, and in the provinces, up to yesterday, (26th April,) is 850 men."

I have as yet received no notification from Mr. Thayer, at Triest, of the arrival of any of these volunteers in that city.

I have the honor to remain, sir, your obedient servant,

J. LOTHROP MOTLEY.

Hon. WILLIAM H. SEWARD,
Secretary of State.

No. 11.

Mr. Seward to Mr. Motley.

No. 182.] DEPARTMENT OF STATE,
Washington, May 3, 1866.

SIR: Your confidential despatch of the 17th of April, No. 161, has been received.

It is a matter of some relief that only so small a number of volunteers as six hundred have been gathered at Laybach, with a view to shipment from Triest for Vera Cruz, and that the recruiting for that service is becoming very languid. It is to be hoped that a scheme obviously so unpopular in Austria will not be persisted in by the Emperor. My late communications leave no necessity for dwelling upon the subject at the present moment.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

J. LOTHROP MOTLEY, Esq., &c., &c., *Vienna.*

No. 12.

Mr. Motley to Mr. Seward.

No. 169.] UNITED STATES LEGATION,
Vienna, May 6, 1866.

SIR: I have the honor to acknowledge the receipt of your Nos. 173, 174, 175, and your 176, marked confidential, of dates April 6 and April 16, respectively, all reaching me under the same envelope on May 3, in the evening. No. 175 is in answer to my 156, and relates to the affairs of Austria and Prussia.

No. 173 contains certain extracts from Paris journals, and translations in Paris journals from Vienna newspapers, sent to you by Mr. Bigelow, United States minister in Paris. Such intelligence as was accurate in those extracts has already been indicated by me in advance from authentic sources in my despatches of January 8, February 20, and February 27.

The permission of the so-called imperial government in Mexico to levy troops to supply vacancies in the volunteer corps raised in this empire in 1864, was accorded in the beginning of this year, and mentioned in my despatch of 8th January. Of the signature of the supplementary convention I have subsequently apprised you. The statement that a line of steamers was to be started between Triest and Vera Cruz, to begin to ply on April 1, has, I believe, no foundation in fact.

I have understood that Mr. Loosey, Austrian consul general at New York, has long had the project of starting a line of steamers between Triest and New York, and that latterly there had been some hope of causing such steamers to stop at Vera Cruz, but I have ascertained that the project has been for the present, at least, abandoned.

I sent this information to Mr. Bigelow, in reply to his inquiry made some five or six weeks ago.

The remainder of your No. 173 I shall have the honor to answer in connexion with your Nos. 174 and 176, in a separate despatch, which will go by the same post, as does the present one.

Meantime I have the honor to remain, very respectfully, your obedient servant,

J. LOTHROP MOTLEY.

Hon. WILLIAM H. SEWARD,
Secretary of State.

No. 13.

Mr. Motley to Count Mensdorff.

LEGATION OF THE UNITED STATES OF AMERICA,
Vienna, May 6, 1866.

YOUR EXCELLENCY: It will be doubtless within your recollection, that on the 7th of April I had the honor to lay before you, for confidential perusal, a despatch of my own to Mr. Seward, Secretary of State of the United States.

This paper was in answer to a communication from the Secretary of State, instructing me to make as earnest and emphatic protest as was compatible with the profound respect entertained by the United States for the imperial royal government against the departure of any additional soldiers from Austria for Mexico.

The language of the protest which I was thus instructed to make was quoted at length in the despatch which I had the honor of submitting to your perusal before sending it to Washington. In returning that despatch, I understood your excellency to observe that it contained a just and explicit statement of the position of the Austrian government in regard to the affairs of Mexico, and that you had no further observations to make upon it.

Since forwarding that paper to Washington, I have received despatches of a grave nature from my government in regard to the same subject.

These despatches are not, of course, in answer to my communication above mentioned. For this, sufficient time has not yet elapsed.

The instructions just received by me from Mr. Seward are in answer to my statement to him, under date of 27th March last, that the military supplementary convention between the Austrian government and the government of Mexico, recognized here as the legitimate one, had been signed on the 11th March, and that it was expected that about one thousand volunteers would be shipped very soon from Triest to Vera Cruz, and at least as many more in the autumn.

An imperative duty is now placed upon me of again most respectfully calling your excellency's attention to the general and growing uneasiness throughout the United States on the subject of foreign troops in Mexico. In so doing, I wish to use the most courteous and becoming terms that are consistent with a faithful execution of the task just committed to me by my government.

Recognizing the right of one independent nation, for reasons deemed sufficient by itself, to make war upon another independent nation, and not feeling called upon to be a judge of the quarrel between the belligerents, the United States have scrupulously maintained neutrality in the war existing during the past few years between the empire of France and the republic of Mexico, with which power the United States government has not ceased to maintain friendly relations.

This preservation of neutrality has been rendered the more difficult in proportion to the growth of the conviction among the people of the United States that the war begun by France for the purpose of redressing grievances, and with a disclaimer of all political intentions on the part of France, was continued, as it were, indefinitely for the purpose of establishing and perpetuating on the borders of our own territory a foreign imperial government by means of European troops.

It is hoped that at last an arrangement has been effected by which the French troops, heretofore preventing a free expression of the national will in Mexico, are to be withdrawn.

The appearance of fresh troops arriving from Austria at exactly this moment, therefore, would almost inevitably increase the general excitement in the United States which the recent understanding with the French government had begun to allay.

It would be thought erroneous, as such a supposition really is, that the government of Austria was about to succeed that of France in an armed and protective alliance with the new government which it wishes to see established in Mexico.

A thousand volunteers, many of them, perhaps, veterans, having served their time in the Austrian army, will be regarded as the precursors of an indefinite number sufficient to supply the void left by the retiring French forces, and to overawe for a period of years the free action of the Mexican people in regard to their form of government.

The United States government has from the beginning neither acquiesced in nor intimated the possibility of a future acquiescence in the substitution of an imperial foreign and military government in the place of the national republic of Mexico, unless it should satisfy itself that such was unquestionably the will of the Mexican people.

That will, in the opinion of the United States government, can never be manifested in the presence of foreign fleets and armies. It has, therefore, during its very protracted diplomatic correspondence with the French imperial government, been unable to admit the validity of the revolution supposed to have been effected in the government of Mexico chiefly by the means of European forces.

In its last note addressed to the French government it expressed itself as understanding the Emperor of the French to announce to the United States his immediate purpose to bring to an end the services of his armies in Mexico, to withdraw them and in good faith to fall back, without stipulation or condition on the part of the United States, upon the principle of non-intervention, as to which he is henceforth agreed with the United States.

The practice of the United States government, says the Secretary of State, is from its beginning a guarantee to all nations of the respect of the American people for the free sovereignty of the people in every other state. It is the chief element of foreign intercourse in our history.

Thus much of information I have thought it not superfluous to give of the latest expression by the United States government to that of France of its sentiments in regard to the affairs of Mexico.

I am now instructed to say to the imperial royal government of Austria, that, in the opinion of the United States, the time seems to have arrived when the position of their government in relation to Mexico should be frankly and distinctly made known to the imperial government, and to all others whom it may directly concern.

The United States, for reasons which seem to them to be just and to have their foundation in the laws of nations, maintain that the domestic republican government is the only legitimate one existing in Mexico. They cannot, in view of the character of their own political institutions, their proximity and intimate relations towards Mexico, and their just influence in the affairs of the American continent, consent to the subversion of that government by foreign armies. Having urged upon the French government their strong and, as they think, reasonable desire for the withdrawal of the French troops engaged in that objectionable invasion, it now becomes proper for the United States to announce that they are no less opposed to military intervention for political objects hereafter in Mexico with the sanction of the Austrian government than they are opposed to any further intervention of the same character in that country by France.

I am accordingly instructed to state that the United States sincerely desire that Austria may find it just and expedient to come upon the grounds of non-intervention in Mexico which is maintained by the United States, and to which they have invited France. They could not but regard as a matter of serious concern the despatch of any troops from Austria for Mexico while the subject which I am thus directed to present to the Austrian government remains under consideration.

I have now faithfully laid before your excellency, as briefly as the importance of the subject would permit, the position of the United States in regard to Mexico.

Until recently I have been instructed by my government to abstain from formal political discussions here of the important events occurring in that country. On repeated occasions, however, I have felt it appropriate to express in courteous language, without formality, but in all sincerity, the opinions of the United States government and people as to the attempt to establish a foreign and imperial government by means of European military forces upon the ruins of an American republic.

Those opinions have been no secret to those with whom I have had the honor of conversing, but it is only now that I am instructed by my government to speak in its name, and with the whole weight of whatever influence it may be thought to possess over the general sentiment of the world. There has been no doubt, I suppose, as to the almost unanimous opinion of the American people on the subject.

From time to time it has been my duty to place before the imperial royal government documents, emanating from the cabinet at Washington, relating to the affairs of Mexico. The diplomatic correspondence of the United States government with that of France, from the beginning of the hostile expeditions against Mexico down to a very recent period, has been regularly printed, and is within the reach of all who wish to read it.

Public sentiment in the United States as to intervention on the part of European governments and soldiers for the purpose of revolutionizing the polity, subverting the existing institutions, and controlling the destiny of American republics, has been manifested in every way in which it was possible to make it known, by solemn resolutions of Congress, by the utterances of great public meetings without distinction of party, and by the general voice of the American press.

The feelings of the American people and its successive governments, as exhibited through the whole of their national career, and publicly manifested on many solemn occasions, in regard to forcible and armed interference by European powers with established institutions on the western continent, are, whether they may be deemed reasonable or not, and whatever weight may be attached to them by European opinion, a matter of history and known to mankind.

Such interference was long ago proclaimed, on the highest official authority, as of necessity to be considered a manifestation of an unfriendly disposition towards the United States. It is hardly expedient, therefore, on this occasion, to consume more of your excellency's time by the exposition of a subject so familiar to you.

I beg your excellency to believe that the frankness and sincerity with which I have thus set forth, in obedience to the instructions of the President, the sentiments of the government which I have the honor to represent at the court of his Imperial Royal Majesty, are not incompatible with the most entire respect for the imperial royal government and with the Austrian nation, and with the warmest and most sincere desire for their welfare.

In conclusion, I feel it my duty, in this most grave aspect of affairs, to repeat the earnest hope that it may not be found expedient to postpone the departure of fresh troops from Austria to Mexico until such answer to this communication as your excellency may be pleased to make shall have been candidly and deliberately considered by the United States government at Washington.

Meantime I pray your excellency to accept the expression of the highest consideration with which I have the honor to remain your excellency's very obedient servant,

J. LOTHROP MOTLEY.

His Excellency COUNT MENSDORFF,
Imperial Royal Minister of Foreign Affairs, &c., &c., &c.

No. 14.

Mr. Canisius to Mr. Seward.

[Extracts.]

No. 57.] CONSULATE OF THE UNITED STATES OF AMERICA,
Vienna, May 8, 1866.

SIR: * * * * The news received here per telegraph that you have demanded of Austria the discontinuation of sending any more volunteers to Maximilian, of Mexico, has created here quite a sensation. The people of Austria feel now, in their distress, more than ever, that this enterprise of Maximilian, and the subsequent agreement made by this government to aid him by sending soldiers to that distant country, of no value to the people of this empire, was a great mistake.

I found in this morning's paper the following item:

[Translation.]

"LAYBACH, (near Triest,) *May* 5.

"*The Mexican free corps.*—The recruiting for the Mexican free corps will definitely be closed to-day. All the recruits have to be ready on the 8th of this month at the principal depot at Laybach, as the embarcation commences in Triest on the 10th instant. The Mexican Colonel Leisser will personally attend to the embarcation."

What the Austrian government will decide now, after your protest, will soon be seen, as the embarcation was to take place on the 10th of this month.

I have the honor to be, very respectfully, your obedient servant,

T. CANISIUS,
United States Consul.

Hon. WILLIAM H. SEWARD,
Secretary of State.

No. 15.

Mr. Motley to Mr. Seward.

No. 174.] LEGATION OF THE UNITED STATES,
Vienna, May 15, 1866.

SIR: Referring to my No. 173, of date May 12, I have the honor to state that I have received no answer as yet to my note to Count Mensdorff, of May 6, a copy of which was enclosed in my No. 170, of date May 8.

As I have already been informed officially, but confidentially, that the departure of the volunteers for Mexico has been prevented, (information which I immediately conveyed to you in my above-mentioned No. 173,) this delay has nothing in it surprising.

On the eve of a tremendous war, such as this, in which all Germany is almost immediately to be plunged, it is natural that there should be great press of business at the imperial royal foreign office. I have reason to suppose, moreover, that a desire on the part of the imperial royal government to know what reply you may be pleased to make to my despatch No. 158, confidentially communicated to the imperial royal minister of foreign affairs before it was forwarded to Washington, may, in part, account for the delay. I have, of course, not intimated that there was the slightest probability of any change having

been effected in the emphatic opposition on the part of the United States government to the sending of volunteers from Austria to Mexico. On the other hand, I think that you may consider it certain, as a matter of fact, that no soldiers will sail again from Austria to Mexico.

I shall be glad to be informed officially of the state of the negotiations between the United States government and that of France.

From the American newspapers I gather that the decree of the French Emperor concerning the evacuation of Mexico had been communicated to the United States government.

I know not whether the United States government has expressed its concurrence with that decision.

My latest authentic intelligence as to the negotiations with France is contained in your note to the Marquis de Montholon of February 12.

I would also observe, in passing, that the two last published volumes of the diplomatic correspondence, parts 3 and 4, for the year 1864, containing the correspondence with France and all other countries excepting England, has never been sent to me.

Happening to be in London at the close of last year, however, I procured a copy at the United States legation.

I think it not superfluous to state that, according to information received from Mr. Thayer, United States consul at Triest, the transport in which the volunteers were to have been conveyed from that port to Mexico was the French merchant ship Tampico.

I have the honor to remain, sir, your obedient servant,

J. LOTHROP MOTLEY.

Hon. WILLIAM H. SEWARD, *Secretary of State.*

No. 16.

Mr. Motley to Mr. Seward.

No. 177.] UNITED STATES LEGATION,
Vienna, May 21, 1866.

SIR: I have the honor to state that I have just received a note from Count Mensdorff, in answer to my note of date May 6, a copy of which was forwarded with my despatch No. 170, of date May 8.

I have prepared a careful translation of the minister's note, which, together with a copy of the original, I transmit with this despatch.

I cannot doubt that both the contents and friendly spirit of this communication from the imperial royal government will give sincere satisfaction to the United States government.

I have the honor to remain, sir, your obedient servant,

J. LOTHROP MOTLEY.

Hon. WILLIAM H. SEWARD, *Secretary of State.*

No. 17.

Count Mensdorff to Mr. Motley.

[Translation.]

MINISTRY OF THE IMPERIAL HOUSE AND OF FOREIGN AFFAIRS.
Vienna, May 20, 1866.

The undersigned, minister of the imperial house and of foreign affairs, has had the honor to receive the note which the Hon. Mr. Lothrop Motley, envoy

extraordinary and minister plenipotentiary of the United States of North America, addressed to him on the 6th of the current month, in which expression is given to the representations which his government has seen itself called upon to make in regard to the volunteers enlisted in the Austrian states for military service in Mexico.

The undersigned has already had repeated occasions to give verbal explanations to the envoy of the United States concerning the nature and extent of the enrolments in question which have taken place in very limited measures, both as to numbers and period of enlistment—explanations which were intended to remove every doubt which could have arisen in the eyes of the government of the United States in regard to the intentions of Austrla in this matter. As, however, it appears from the latest communications of the envoy that the said explanations have not hitherto had the effect to entirely tranquillize the North American government in this respect, as that government feels obliged to see in the enlistments in question an exertion of influence on the part of Austria in the internal affairs of Mexico which might become a motive for the United States to come out of the neutral position which it has hitherto maintained in regard to those affairs; as, finally, according to the observation contained in the note of Mr. Lothrop Motley, the exertion of an influence of the above-mentioned character would be regarded as well by the government as by public opinion in the United States as an unfriendly proceeding towards them, which would be entirely out of harmony with the intentions of the imperial government, the undersigned finds himself in the position, without, therefore, being able to agree with all the views developed in the many-times cited note, to make known to the envoy that, in consideration of all the above-mentioned circumstances, the necessary measures have been taken to prevent the departure of the volunteers lately enlisted for Mexico.

In the confident expectation that the cabinet at Washington will feel itself on this account the more induced to allow no change to take place in the neutral position hitherto maintained by it towards Mexico, and that the government of the United States will recognize in this proceeding of the imperial cabinet a new proof of its sincere wish to remove everything that might be capable of exercising a prejudicial influence upon the relations between the two countries, the undersigned makes use of this occasion to renew to the honorable Mr. Lothrop Motley the assurance of his high and distinguished consideration.

MENSDORFF.

Mr. LOTHROP MOTLEY,
Envoy Extraordinary and Minister Plenipotentiary, U. S. A.

No. 18.

Mr. Seward to Mr. Motley.

No. 184.] DEPARTMENT OF STATE,
Washington, May 26, 1866.

SIR: Your despatch of May 6, No. 169, has been received, and I thank you for the information which it communicates concerning the relations between Austria and Mexico.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

J. LATHROP MOTLEY, Esq., *&c., &c., Vienna.*

No. 19.

Mr. Seward to Mr. Motley.

No. 185.] DEPARTMENT OF STATE,
Washington, May 26, 1866.

SIR: I have the honor to acknowledge the receipt of your despatch of the 8th instant, No. 170, which paper is accompanied by a copy of a note which, on the 6th instant, you addressed to Count Mensdorff in execution of my instructions Nos. 173, 174, and 176.

I have great pleasure in saying that the President approves entirely of the proceedings on your part, which are related in your despatch, and equally approves of your note to the Austrian minister for foreign affairs.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

J. LOTHROP MOTLEY, Esq., &c., &c., *Vienna.*

No. 20.

Mr. Seward to Mr. Motley.

No. 186.] DEPARTMENT OF STATE,
Washington, May 30, 1866.

SIR: I have the honor to acknowledge the receipt of your despatch of the 15th instant, No. 174. In that paper I find the following paragraphs:

"As I have already been informed, officially, but confidentially, that the departure of the volunteers for Mexico has been prevented, (information which I immediately conveyed to you in my above-mentioned No. 173,) this delay has nothing in it surprising.

* * * * * *

"I think that you may consider it certain, as a matter of fact, that no soldiers will sail from Austria to Mexico."

Your No. 173, referred to in the first paragraph, has not yet reached this department. The paragraphs extracted, however, are sufficient to satisfy the President that our wishes in regard to the Mexican question are receiving just consideration by the imperial royal government.

If it shall seem to you to be expedient, you will say this to Count Mensdorff, and at the same time express to him our earnest and sincere wishes to remain always in peace and cordial friendship with Austria.

In compliance with your request, I send herewith, for your information, a copy of so much of the correspondence with France concerning Mexico as has not heretofore been furnished you.

I am sir, your obedient servant,

WILLIAM H. SEWARD.

J. LOTHROP MOTLEY, Esq., &c., &c., *Vienna,*

No. 21.

Mr. Seward to Mr. Motley.

No. 189.] DEPARTMENT OF STATE,
Washington, June 9, 1866.

SIR: I have the honor to acknowledge the receipt of your despatch of the 21st of May, No. 177. It is accompanied by a copy of a note which was addressed to you by Count Mensdorff on the 20th of May last.

Count Mensdorff announces to us in the said note that the departure of the volunteers lately enlisted in Austria for service in Mexico will not be allowed to take place. This decision of the imperial royal government is received by the President with sincere satisfaction. It is in harmony with the spirit which has governed the proceedings of Austria in her intercourse with the United States throughout the whole period in which political disturbances in America have been the subject of discussion between the United States and the Emperor.

You are authorized to communicate these sentiments to Count Mensdorff, and to assure him that the present just, liberal, and friendly proceeding on the part of Austria will not fail to enhance the good will and cordial friendship which the United States so habitually cherish for the government and people of Austria.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

J. LOTHROP MOTLEY, Esq., *&c., &c., Vienna.*

[From the Debats of the 18th May, 1866.—Forwarded by Mr. Bigelow.]

[Translation.]

We have good reason to call in question the news of the departure of Austrian volunteers for Mexico, published in the Memorial Diplomatique. Nothing, in fact, could be more unlikely after the despatches from the government of the United States which we have laid before our readers. Correspondents at Triest announce not merely that the Austro-Mexican detachment has not embarked, but that it will be disbanded, and that the men who compose it have for the most part requested to take service in the corps of volunteers which is organizing in view of the approaching war. The Austrian government (they write from Triest) was under the greater obligation not to withdraw its forces from the service of the country, because it at the same time avoided assuming an offensive attitude toward the United States of America. Thus our own previous impressions are confirmed, notwithstanding the pretended information of the Memorial Diplomatique.

No. 22.

Mr. Bigelow to Mr. Seward.

[Extract.]

No. 325.] LEGATION OF THE UNITED STATES,
Paris, May 26, 1866.

SIR: The following semi-official announcement appeared in La France last evening: "The return to France of Marshal Bazaine with the first detachment returning from Mexico is under consideration. In this case the marshal will turn over his command to General Douai."

Should nothing occur to change the present programme, I think Marshal Bazaine will return with the first detachment of French troops in October next. I am told that the contract with the Transatlantic Steamship Company, for their transport from Vera Cruz to St. Nazaire, was signed on Monday last.

I have as yet received no reply from Mr. Drouyn de Lhuys to my inquiry in reference to the contract supposed to have been signed at the ministry of marine for the shipment of troops from Triest to Vera Cruz. His silence leaves little room to doubt that my suspicions were correct.

* * * * * *

I have, &c.,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD, *Secretary of State.*

No. 23.

Mr. Seward to Mr. Bigelow.

No. 469.] DEPARTMENT OF STATE,
Washington, May 31, 1866.

SIR: I have to acknowledge the receipt of your despatch of the 16th instant, No. 320, containing a translation from La France of the 15th, in regard to the disposition of Austrian troops which had been intended for the service of the imperialists in Mexico, and enclosing translation of extracts from the Memorial Diplomatique and the Debats, relating to this and other branches of the Mexican question.

I enclose, confidentially, for your information, a copy of an instruction of this date, which I have addressed to Mr. Motley.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., &c., &c., &c.

No. 24.

Mr. Seward to Mr. Bigelow.

No. 474.] DEPARTMENT OF STATE,
Washington, June 4, 1866.

SIR: Your despatch of the 10th ultimo, No. 316, was duly received. The position which you inform me therein that you propose to take in regard to the forwarding of troops to Mexico is approved. Thanking you for your attention to the subject,

I remain, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., &c., &c., &c.

No. 25.

Mr. Seward to Mr. Bigelow.

No. 476] DEPARTMENT OF STATE,
Washington, June 6, 1866.

SIR: I have the honor to acknowledge the receipt of your despatch of May 25, No. 325.

The information which it contains seems to justify us in assuming that the French government has made arrangements for withdrawing one-third of its forces now in Mexico, from that country, in October. The knowledge of this fact will have a tendency to quiet the public mind in the United States.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., &c., &c., &c.

[Appendix No. 4.]

No. 43.

No. 1.

EUROPEAN TROOPS IN MEXICO.

Message from the President of the United States in answer to a resolution of the Senate and House of Representatives in regard to the employment of foreign troops in Mexico.

To the Senate and House of Representatives:

In further answer to recent resolutions of the Senate and House of Representatives, requesting information in regard to the employment of European troops in Mexico, I transmit to Congress a copy of a despatch of the 4th of this month, addressed to the Secretary of State by the minister of the United States at Paris.

ANDREW JOHNSON.

WASHINGTON, *June* 22, 1866.

No. 2.

Mr. Bigelow to Mr. Seward.

No. 330.] LEGATION OF THE UNITED STATES,
Paris, June 4, 1866.

SIR: I waited upon his excellency the minister of foreign affairs on Saturday last, in pursuance of a previous appointment, to confer with him upon the subject matter of your instruction, No. 459, marked confidential. As he had been already apprised of the contents of that despatch, through the French minister residing at Washington, I was spared the necessity of restating them. He said that the imperial government proclaimed its intention to retire from Mexico because it suited its convenience and interests to retire, and for no other reason. When, therefore, it announced formally, not merely to the United States, but to all the world, that the army would be withdrawn from Mexico within a specified term he thought it should be deemed sufficient. The government made its declaration in good faith, and means to keep it. It means to withdraw its army within the time prescribed, and it does not intend to take one or two hundred troops in the first detachment, and one or two hundred more in the second, leaving the great body of them to the last; though it had not deemed it necessary to specify with minuteness details of this kind, which depend upon hygienic and climatic considerations, of which it was the best and the only competent judge. This, his excellency said, he wished I would say to my government.

I asked his excellency if I had ever intimated to him, whether in writing or orally, any suspicion of the Emperor's intention to withdraw his army from Mexico in unequal proportions. He replied that I had not. I then asked him if any other person authorized to speak in the name of my government had done so. He said no; but he had read imputations of that kind in one of our papers. I replied, in substance, that the press was a law unto itself, but that we had better not accept it as a law unto us; and as he asked me to communicate to my government a formal answer to what sounded like an accusation of insincerity and bad faith on the part of the Emperor, I wanted his authority for stating that no such accusation had reached him through any official channel. He replied that he only had read of it in newspaper.

I then went on to say that the purpose of your instruction, as I understood it, was simply to obtain an explanation, which was sure to be required of you, of the shipment by France of large bodies of troops to Mexico after the pur-

pose to withdraw her whole army had been officially proclaimed. To this his excellency replied, that since seeing me he had gotten from his colleagues of the marine and war departments information to the purport—

That no troops belonging to the *Corps Expeditionaire* had been sent to Mexico this year, unless for the sake of partly replacing soldiers missing, but at any rate without augmentation of the number of standing troops.

That the shipment of troops referred to in the public prints, and in your despatch, was most likely that made in the transport *Rhône* about the beginning of the year.

That this *Rhône* touched at Martinique, but not at St. Thomas, as was stated.

That she carried 916, and not 1,200, soldiers.

That they belonged to the Foreign Legion, and not to the Expeditionary Corps.

That they consisted of troops which had been waiting transportation a long time in France and in Algeria to join their regiments.

That no new troops had been enrolled for the Foreign Legion since the Emperor proclaimed his purpose to withdraw his flag from Mexico, and that no more, for what he knew, were intended to be enrolled.

In regard to the shipments of troops from Austria, he said that that was an affair entirely between that government and the Mexican, with which France had nothing to do; that since I had spoken to him upon the subject he had verified his own convictions by a reference to the ministers of war and of marine, and had ascertained that no engagements of any sort had been entered into by either for the enrolment or transport of troops from Austria to Mexico. He went on further to say, that it was the intention of the government to withdraw the army entirely from Mexico within the time specified in his despatch to you at the very latest; sooner if climatic and other controlling considerations permitted, and it was not its intention to replace these with other troops from any quarter.

At the conclusion of a long conversation of which I have given the important results, I expressed my satisfaction with his excellency's explanations, and the pleasure I should have in communicating them to my government.

This despatch has been submitted to Mr. Drouyn de Lhuys, and the foregoing version of the results of our conversation has been approved by him.

I am, sir, with great respect, your obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Department of State, Washington, D. C.

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Mr. Romero to Mr. Seward.	Feb. 7	Receipt of the foregoing, and stating that copies of the documents alluded to will be transmitted as soon as they come into his possession.	110
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Mr. Seward to Mr. Romero.	Feb. 7	Receipt of the foregoing, and again requesting the final decision of the Mexican government, and stating that the United States cannot accept an exceptional administration of the revenue laws of Mexico by General Alvarez as a proper mode of punishing supposed offences for which its citizens do not appear to have been subjected to any kind of trial, or even to an open accusation; and that having already expressed its dissatisfaction and asked for restitution to the parties interested, it entertains the hope that the executive of Mexico will cause the same to be refunded to them so soon as may be compatible with the public interests and condition of that republic.	114
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	1865.		
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Mr. Seward to Mr. Romero.	Dec. 11	Receipt of Mr. Romero's of November 29, with its enclosures, and informing of their transmission to the Secretary of the Navy.	124
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	1865.		
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	Dec. 9	Major General McDowell to the Secretary of War, enclosing correspondence with General Vega regarding same.	133
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Mr. Seward to Mr. Romero.	Aug. 11	Enclosing letter from the Acting Secretary of the Treasury communicating telegram from the collector at San Francisco, stating that no vessel will be allowed to load and depart in violation of the orders referred to.	160
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Mr. Romero to Mr. Hunter.	May 12	Acknowledging receipt of the same, and stating that, being now well informed of the principles which the government of the United States recognizes in relation to contraband of war, which was his principal object in addressing the notes already cited, he will not further solicit the prevention of the exportation of coal to which he has referred, nor the refusal of the repairs of the French vessels-of-war at the navy yards of this nation.	171

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Mr. Seward to Mr. Romero.	Nov. 5	Receipt of same, and transmission to Secretary of War	191
Mr. Romero to Mr. Seward.	Sept. 19	Enclosing communication from the department of foreign relations of the Mexican republic accompanied by an exposition addressed to the president of Mexico by Mr. Armendariz soliciting his aid with reference to the foregoing.	192
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